



Parole in Texas

Answers to Common Questions

Texas Board of Pardons and Paroles

**Texas Department of Criminal Justice
Parole Division**

This publication has been developed to inform offenders, the offenders' families and other interested parties about the parole process in Texas. The parole process in Texas is a collaborative effort between the Texas Board of Pardons and Paroles and the Texas Department of Criminal Justice-Parole Division.

The Board of Pardons and Paroles is responsible for the consideration of eligible offenders for Parole or Discretionary Mandatory Supervision; the imposition of appropriate conditions of release; the determination of revocation or other appropriate sanctions for those offenders who have violated the terms of release; and the recommendation of clemency matters to the Governor.

The Parole Division is responsible for the successful reintegration of offenders through supervision, treatment programs and the utilization of community resources.

Both the Board of Pardons and Paroles and the Parole Division are committed to enhancing public safety through prudent decision making based on evidence based practices.

We hope you will find this publication informative and beneficial.



A handwritten signature in blue ink that reads "David L. Anthony".

Presiding Officer
Texas Board of Pardons and Paroles



A handwritten signature in blue ink that reads "Pamela Thielke".

Director
Texas Department of Criminal Justice
Parole Division

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INTRODUCTION

Texas Board of Pardons and Paroles

The primary role of the Texas Board of Pardons and Paroles (hereinafter referred to as the Board) is the discretionary release of eligible offenders sentenced to the Texas Department of Criminal Justice-Correctional Institutions Division (TDCJ-CID) that includes:

- determining which prisoners are due to be released on parole or discretionary mandatory supervision;
- determining conditions of parole and mandatory supervision;
- determining revocation of parole and mandatory supervision; and
- recommending the resolution of clemency matters to the Governor.

The Board consists of seven members appointed for six-year terms by the Governor with the advice and consent of the Senate. The Presiding Officer reports directly to the Governor and serves as administrative head of the agency. Fourteen Parole Commissioners are hired by the Presiding Officer to assist the Board in deciding parole release and revocation by serving as voting members on Parole Panels. The Board uses research-based Parole Guidelines to assess each offender's likelihood for a successful parole against the risk to society. The Board has offices in Amarillo, Angleton, Austin, Gatesville, Huntsville, Palestine and San Antonio.

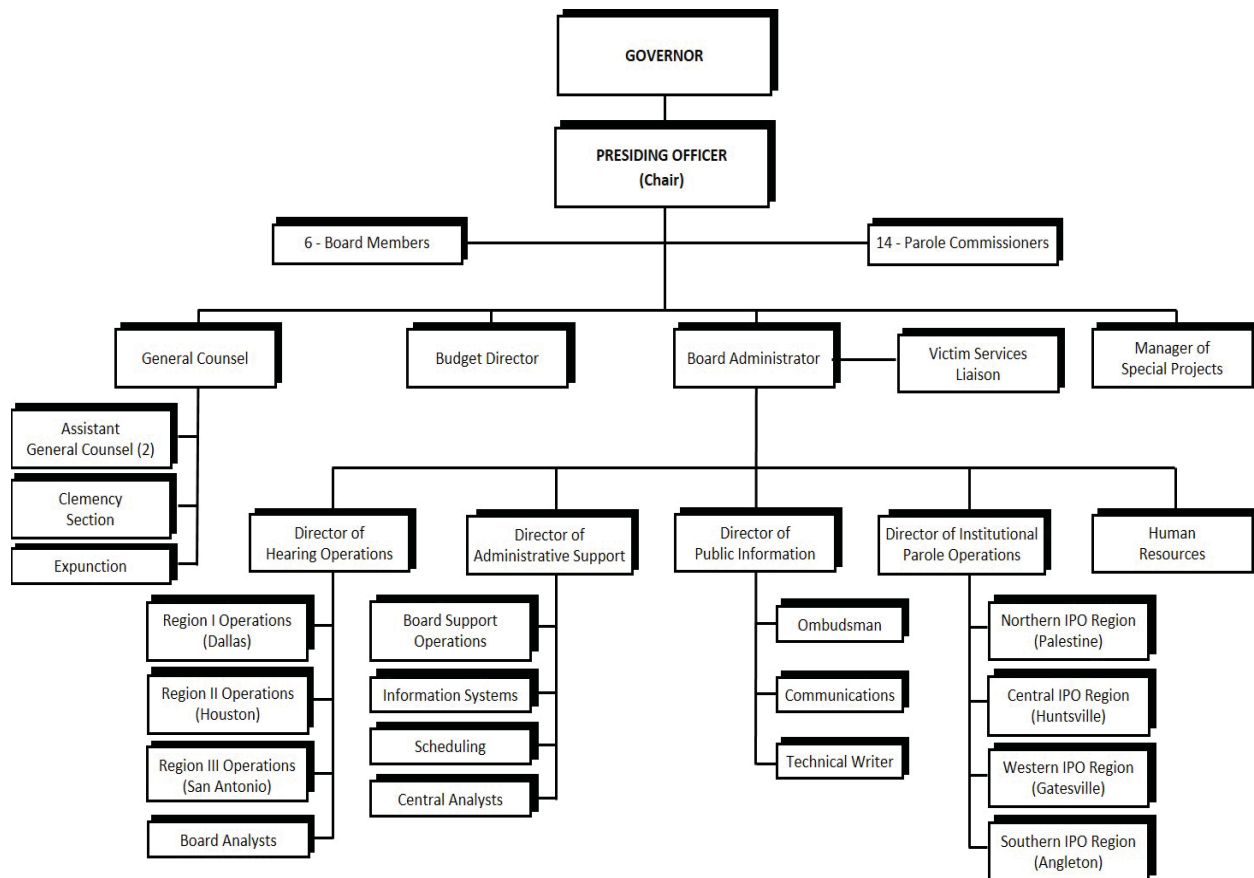
The Board has a nationwide toll-free telephone number (1-844-512-0461) for current information regarding an offender's parole review status, which includes whether or not an offender is in the review process, the last parole decision and date and an offender's next scheduled review. The listing consolidates telephone numbers of the numerous Board and Institutional Parole Offices spread across the state of Texas, centralizing them in one call center. The call center answers parole review inquiries about incarcerated TDCJ offenders including parole status information for offenders, offender families, attorneys, TDCJ Victim Services, state legislative offices, trial officials and law enforcement offices throughout Texas and the U.S. In addition, the Board website streamlines the current business process by alleviating the need to address the most commonly asked parole status questions while allowing the Board to respond to more complex requests in a timely manner (almost real time), be more responsive to public inquiries, provide better information access and achieve a higher volume of work.

Board Toll-free number: 1-844-512-0461, 8:00 a.m. to 5:00 p.m. (CST), Monday - Friday;
Offender Online Search: <https://offender.tdcj.texas.gov/OffenderSearch/index.jsp>

Administrative Support manages the day-to-day operations that support agency functions and responsibilities. Other duties include requests for special review after a denial of parole release, Motions for Reinstatement, tracking of waivers and transmittals, and responses to correspondence dealing with many related issues. In addition, Administrative Support schedules hearings, prepares statistical information and provides technical support for the agency.

Hearing Operations is responsible for conducting the revocation hearing and processing of offender cases when violations of supervision rules are alleged. Hearings are held in county jails or on TDCJ-CID units statewide. Hearing reports are presented to Parole Panels for an appropriate decision.

Institutional Parole Operations is responsible for processing cases for offenders who have been sentenced to a term of incarceration in the TDCJ-CID and are eligible for parole or discretionary mandatory supervision review. Upon eligibility, the offender is interviewed and a detailed case summary is submitted to Parole Panel members for an appropriate decision.



Board Contact Information

Persons wishing to comment on Parole Panel actions, procedures, case handling, or any other matter should submit their concerns in writing to:

Texas Board of Pardons and Paroles
 P.O. Box 13401, Capitol Station
 Austin, Texas 78711
 (512) 406-5452
 Email: Board_pio@tdcj.texas.gov
 Agency Website: <http://www.tdcj.texas.gov/Board/>

TDCJ Parole Division

The Parole Division is responsible for pre-release planning and for supervising parolees and mandatory supervision offenders once they are released to the community. The mission of the Parole Division is to promote public safety and positive offender change through effective supervision, programs, and services. A person on parole is still in the legal custody of the state and remains under supervision for the remainder of his or her sentence.

Review and Release Processing coordinates the movement and maintenance of offender files and performs the administrative activities necessary to release offenders to parole or mandatory supervision.

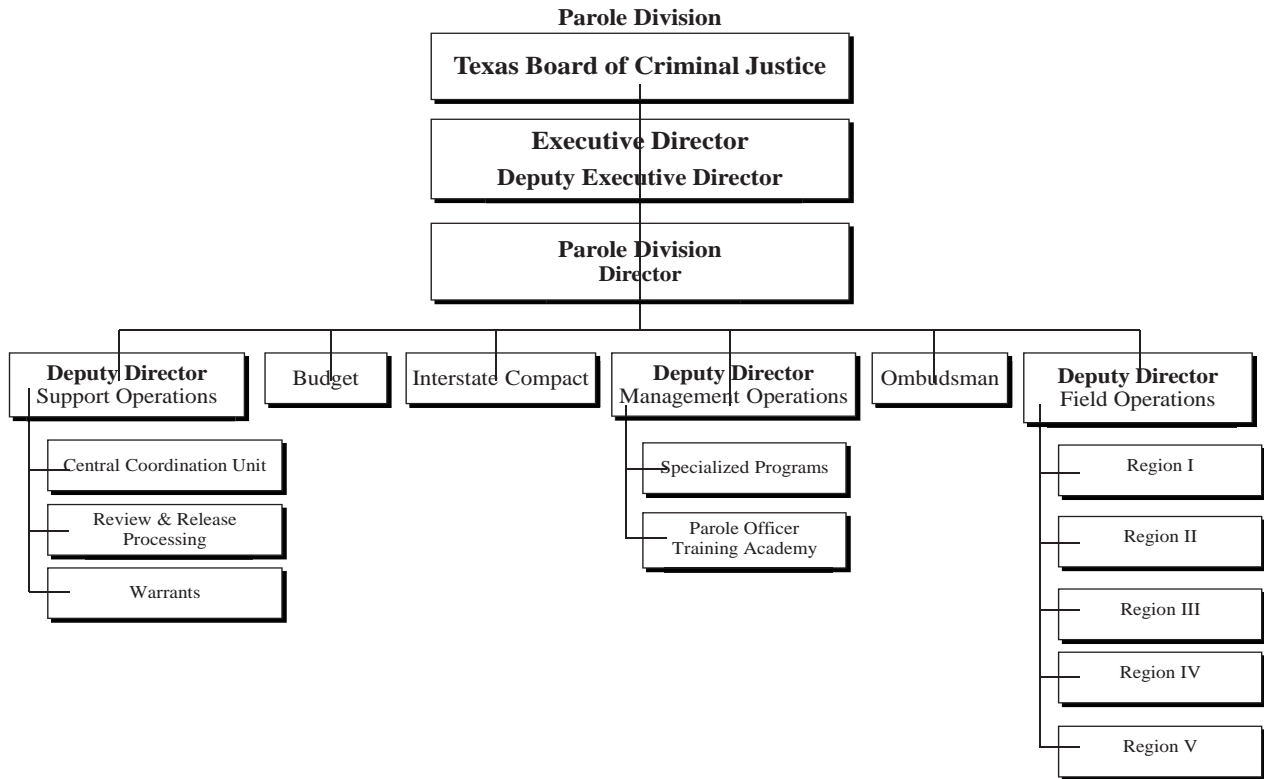
Specialized Programs develops, administers, and coordinates therapeutic, rehabilitative, and resource intervention programs that enhance the division's ability to reintegrate offenders and protect the public, to include training.

Warrants handles functions related to the processing of parole violations, including warrant issuance, publication, and confirmation as well as Interstate Services/Extradition. Additionally, the section administers the Super Intensive Supervision Program (SISP) and the Electronic Monitoring (EM) program.

Central Coordination Unit coordinates field operations and carries out various support functions (detrainer monitoring, interstate compact supervision and intermediate sanction facility transfer).

Field Supervision includes staff in numerous district parole offices located throughout the state who provide direct supervision of parolees and mandatory supervision offenders. Parole Officers and other field staff are responsible for investigating release plans prior to an offender's release, for assessment and classification of the offender after release, for development of a supervision plan based on the needs of the offender, and for making appropriate referrals. In addition, they ensure that conditions of release are met and initiate intervention procedures when necessary.

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE
ORGANIZATIONAL STRUCTURE**



Parole Division Contact Information

Persons wishing to comment on Division policies, procedures, case handling, or any other matters regarding parole or mandatory supervision should submit their concerns in writing to:

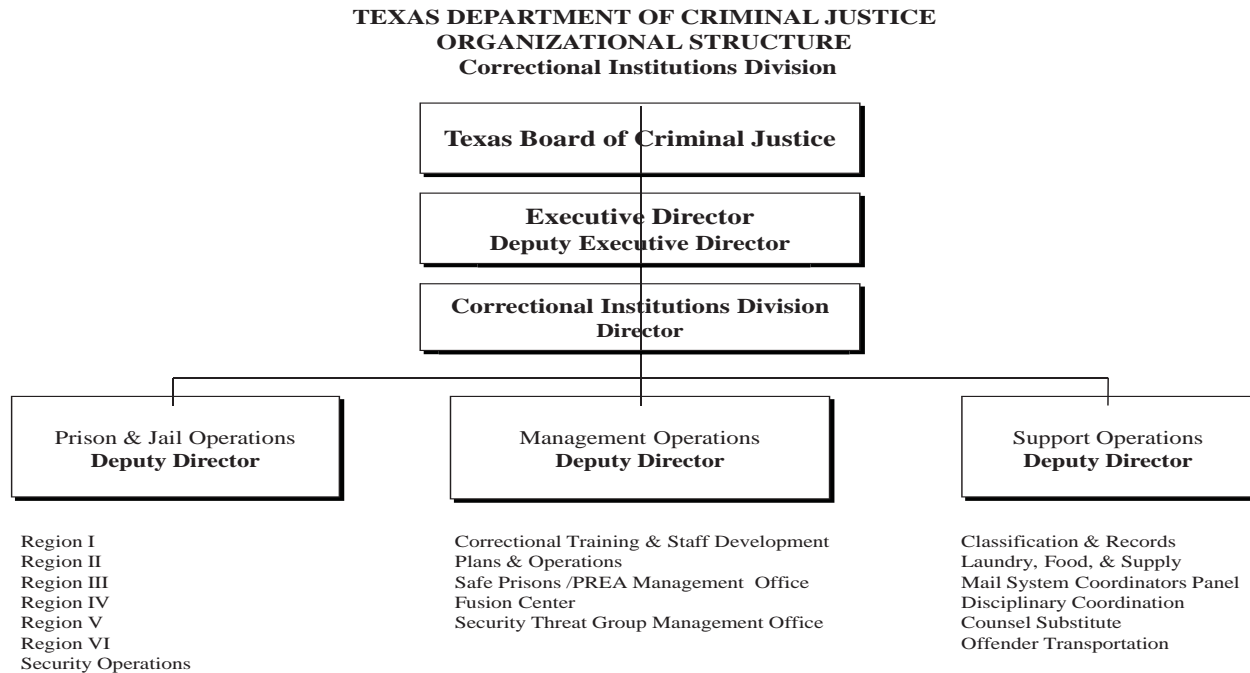
Texas Department of Criminal Justice, Parole Division
 Attention: Ombudsman
 P.O. Box 13401, Capitol Station
 Austin, Texas 78711 (512) 406-5795
 Bilingual Staff Available – Se habla Español
Email address: parole.div@tdcj.texas.gov

Offender support letters may be sent to the Texas Department of Criminal Justice to be placed in the offender's permanent file for review by the Parole Panel at the appropriate time. Include the offender's full name and their TDCJ number, SID number and/or date of birth. Address letters to:

TDCJ-Parole Division
 Attention: Correspondence
 P.O. Box 13401, Capitol Station
 Austin, Texas 78711

TDCJ Correctional Institutions Division (CID)

TDCJ-CID is responsible for the confinement of adult felony and state jail felony offenders who are sentenced to incarceration in a secure facility.



Persons wishing to comment on Division policies, procedures, case handling, or any other matter should submit their concerns in writing to:

TDCJ - CID
Attention: Ombudsman
P. O. Box 99
Huntsville, Texas 77342-0099
(936) 437- 2169
Bilingual staff available - Se habla Espanol
Email address: ombudsman@tdcj.texas.gov

PAROLE ELIGIBILITY and TYPES OF RELEASE

Parole Eligibility

The CID-Classification and Records Office calculates parole eligibility dates for all offenders, except those on death row or in other specific cases. The percentage of a sentence that must be served to reach eligibility varies according to the nature of the offense and as specified by statute. The parole eligibility date may change based on good conduct time.

A listing of parole eligibility requirements (including 3g and Non-Mandatory Supervision offenses) identified by Legislative Session is available in the *Offender Orientation Handbook* located on the TDCJ website at:

http://www.tdcj.texas.gov/publications/pubs_cid_offender_orientation_handbook.html

(Note: Offenders are provided the latest copy of the *Offender Orientation Handbook* upon entering TDCJ. Offenders currently incarcerated have access to revised copies when revisions are made.)

Types of Release

Parole: The release of an offender, by decision of a Parole Panel, to serve the remainder of his or her sentence under supervision in the community. Offenders may only be paroled if they receive approval from a Parole Panel and if they have served enough of their sentence to be eligible by law for parole. Parole is a privilege, not a right.

Some requirements for an offender to be released on parole include: (a) serves sufficient time as required by law [Tex. Gov't. Code § 508.145]; (b) is not a risk to public safety; and (c) meets work, program participation, and behavior standards.

Mandatory Supervision Release: Certain offenders may accrue enough combined “calendar time” and “good time” to qualify by law for mandatory supervision release prior to completion of their entire sentence. Mandatory supervision offenders, like parolees, are subject to conditions of release as determined by a Parole Panel and are obligated to complete the remaining portion of their sentences under TDCJ Parole Division supervision in the community.

Direct (Flat) Discharge: Offenders who are not granted parole and who are not eligible for mandatory supervision release must remain in the prison system until they have served their entire court-ordered sentence and are discharged from state custody. No post-release supervision requirements can be imposed on such discharged offenders.

Difference Between Parole and Mandatory Release

Parole is discretionary and always involves a decision on the part of a Parole Panel. Although an initial parole eligibility date may be reached months or even years before an offender's mandatory supervision date, a Parole Panel is in no way obligated to approve parole at the time of initial or subsequent parole reviews.

Under the law in effect until August 31, 1996, release to mandatory supervision was automatic, with no Parole Panel decision involved. All offenders serving time for offenses committed prior to August 31, 1996, and classified as eligible for mandatory supervision, based on the nature of their offenses, must be released on their "minimum expiration date" when calendar time served and accrued "good time" add up to equal their entire sentence.

In 1995, the 74th Legislature gave the Board authority to review scheduled mandatory supervision releases for offenders with offenses committed on or after September 1, 1996. Specifically, a Parole Panel may deny mandatory supervision releases on a case-by-case basis when the panel determines that an offender's good conduct time does not accurately reflect the potential for rehabilitation and that the offender's release would endanger the public. For more information about mandatory release and parole eligibility dates, see the Eligibility Chart included in this manual.

Parole and mandatory supervision are similar in that the Parole Division supervises both categories of offenders. They must report to Parole Officers, must abide by the same rules in the community, and are subject to arrest and re-incarceration if they violate the conditions of release.

Medically Recommended Intensive Supervision (MRIS)

In 1991, the Texas Legislature authorized the early parole review and release of certain categories of offenders who are intellectually disabled, elderly, terminally ill, require long term care, or are physically handicapped. With approval from the Parole Panel, such offenders may be released to the MRIS program.

All MRIS applicants are carefully screened by the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI) and, prior to MRIS approval, the Parole Panel must determine that the offender is no longer a threat to public safety and poses no risk of committing future offenses due to his or her medical and/or psychiatric condition. An offender, other than an offender who is serving a sentence of death, may be released on MRIS on a date designated by a Parole Panel, with the following exceptions:

An offender with an instant offense that is an offense described in Section 3g, Article 42.12, Code of Criminal Procedure, may only be considered if a medical condition of terminal illness or long-term care has been diagnosed.

- An offender with a reportable conviction or adjudication under Chapter 62, Code of Criminal Procedure may only be considered if in a persistent vegetative state or being with an organic brain syndrome with significant to total mobility impairment.

- An offender who is not a citizen of the United States, as defined by federal law, may be released to immigration authorities pending deportation if the Parole Panel determines that upon release the offender would be deported to another country and that the offender does not constitute a threat to public safety in the other country or this country and is unlikely to reenter this country illegally.

For all potential MRIS offenders, TCOOMMI ensures the parole plan provides intensive case management, appropriate supervision by specialized Parole Officers and a suitable placement in the community. Services for this special population are provided via TCOOMMI contracts with the Department of Human Services and TCOOMMI/TDCJ local Mental Health/Mental Retardation centers.

Good Conduct Time

Good conduct time or “good time” is time credited to an offender for good behavior and for participating in work and self-improvement programs while incarcerated. For many – but not all – offenders’ “good time” credits may be added to calendar time served in calculating their eligibility for parole or mandatory supervision. “Good time” does not otherwise affect an offender’s sentence. Good conduct time is a privilege and not a right. In accordance with TDCJ’s institutional rules, prison officials may award or take away “good time” based on an offender’s behavior.

More information about custody designations and time-earning status is available in the TDCJ-CID *Offender Orientation Handbook*.

Neither the Parole Division nor the Board of Pardons and Paroles is involved in the awarding of “good time.” Offenders do not earn “good time” while on parole or mandatory supervision. Questions regarding an offender’s “good time” should be addressed to:

TDCJ-CID
Classification and Records Office
P.O. Box 99
Huntsville, TX 77342

REVIEW and DECISION-MAKING PROCESS

Soon after each offender's arrival, the TDCJ-CID Records Office provides the offender a time calculation sheet showing the offender's initial parole eligibility date (although this date may be subsequently revised depending upon the amount of "good time" earned or lost). In addition, the Board's Institutional Parole Offices (IPO) have Parole Officers on each unit to answer parole-related questions.

Can any offender be paroled?

No. Offenders who are sentenced to death, or to life without parole are not eligible for parole. Also, State Jail convictions are not applicable for parole eligibility (see Eligibility Chart included in this manual for detailed listing of offenses and parole eligibility).

Consecutive ("stacked") Sentences

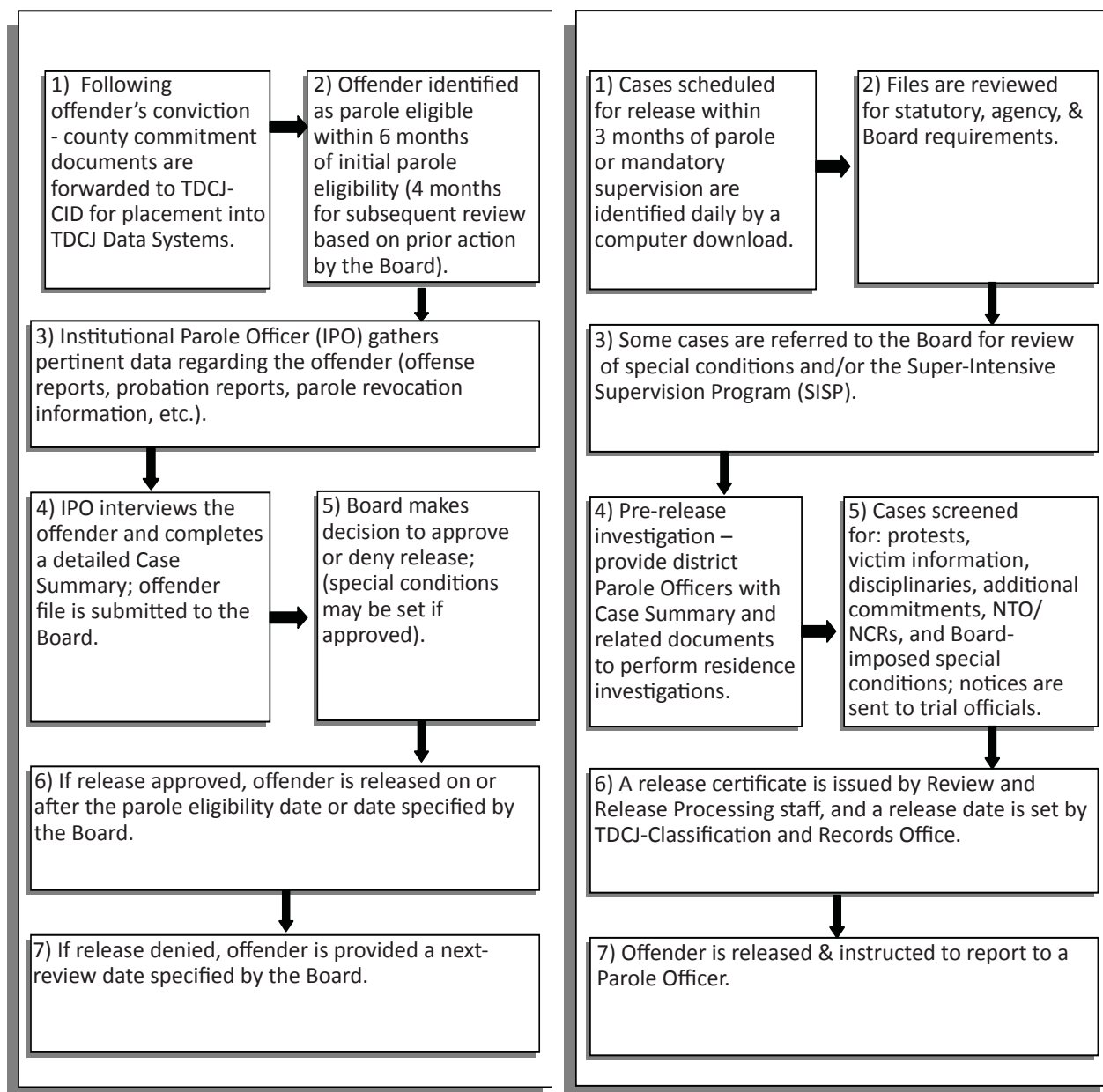
If an offender is serving consecutive sentences and any of those offenses were committed before September 1, 1987, parole eligibility is based on the total number of years of the various sentences. For example, two 15-year sentences running consecutively would be considered one 30-year sentence for eligibility purposes. Once parole eligibility is met, these offenders need only be voted an approval for release one time in order to be released on supervision.

Offenders who are serving consecutive sentences in which all of the offenses were committed on or after September 1, 1987, must complete each sentence in the series before the next sentence begins. The sentence can be completed only by serving the sentence day for day until the maximum expiration date or by receiving a favorable vote from a Parole Panel for the sentence to "cease to operate" on a specified date. Time earning for parole review purposes on the next sentence in the series will begin on the date calculated by the CID-Classification and Records Office. The phrase "cease to operate" only means the next sentence in the sequence begins and does not mean the sentence is totally discharged. All sentences in the series are totaled to calculate the overall maximum discharge date of all the offenses. Mandatory supervision, if applicable, applies only to the last sentence in the series.

Extraordinary Votes – Senate Bill 45 (SB45) / House Bill 1914 (HB1914) Cases

In accordance with Texas Government Code §508.046, a two-thirds majority vote of the Board is necessary for parole decisions involving: capital felons who are eligible for parole; persons convicted of an offense under §20A.03 [*Continuous Trafficking of Persons*], §21.02 [*Continuous Sexual Abuse of Young Child or Children*], §21.11(a)(1) [*Indecency with a Child*] or §22.021 [*Aggravated Sexual Assault*] of the Penal Code; or, persons required under Texas Government Code §508.145(c) to serve 35 calendar years before becoming eligible for release on parole. (NOTE: The following offenses from above are eligible for up to a five year setoff: §20A.03, §21.02, §21.11(a)(1), or persons required to serve 35 calendar years before becoming eligible for release on parole.) Similar to SB45 cases requiring a two-thirds majority vote of the Board, the following offenses are eligible for up to a ten year setoff: capital felons who are eligible for parole, or, §22.021 [*Aggravated Sexual Assault*] of the Penal Code.

Review and Release Processing



The Review

The review process begins several months before an offender's parole eligibility review date. After all appropriate documentation is received, the case is assigned to an Institutional Parole Officer (IPO) who is responsible for interviewing the offender and preparing a case summary. The case summary includes the facts of the offender's offense, prior criminal behavior, substance abuse history, educational and vocational achievements, employment history and job skills, military service, institutional adjustment (job assignments, program participation, gang affiliation and disciplinary history) and physical and mental health conditions.

As the offender's parole eligibility review date approaches, a Parole Panel reviews the offender's case. The offender may or may not be interviewed by one of the panel members before the final panel vote. The panel is composed of at least one Board Member and any combination of Board Members and Parole Commissioners, and two of the three panelists must vote in favor of parole before it can be granted. It is important to note certain offenders may be paroled only upon a two-thirds majority vote of the entire seven-member Board (see SB45 and HB1914 cases).

Decision-Making

When voting individual parole cases, the Parole Panel considers many factors which may include:

- Seriousness of the offense(s);
- Letters of support and/or protest;
- Sentence length, amount of time served;
- Criminal history, other arrest(s), probation, parole;
- Number of prison incarcerations;
- Juvenile history;
- Institutional adjustment (participation in specialized programs); and
- Offender age.

Parole Guidelines

Parole Guidelines consist of two major components that interact to provide an offender's probability of parole success. The first is a *Risk Assessment Instrument* that weighs both static and dynamic factors associated with the offender's record. Static factors include age at first admission to a juvenile or adult correctional facility, history of supervisory release revocations for felony offenses, prior incarcerations, employment history and the commitment offense. The Dynamic factors include the offender's current age, whether the offender is a confirmed member of a security threat group (gang), educational, vocational, certified on-the-job training programs completed during the present incarceration, institutional disciplinary conduct and current institutional custody level. Based on the total of static and dynamic factor points, the risk level is assigned.

The second major component is the *Offense Severity Class*. Each felony offense in the Penal Code has been assigned an offense severity ranking. Offense severity classes range from Low for non-violent crimes such as Illegal Recruitment of an Athlete, to Highest for offenses such as Capital Murder. An offender's most serious active offense is assigned an Offense Severity Class.

After both of the above factors have been considered, the two components of the guidelines are then merged into a matrix that creates the offender's Parole Guidelines Score based on the intersection of his risk level and the offense severity rating. Separate risk scales have been developed for male and female offenders. Parole Guidelines Scores range from 1 for an individual with the poorest probability for success, up to 7 for an offender with the greatest probability of success.

The higher an offender's score, the better risk he is predicted to be able to complete parole. The guidelines are not automatic nor is the parole guidelines score presumptive as to whether an offender will be paroled. Board Members and Parole Commissioners retain the discretion to vote outside the guidelines when the circumstances of an individual case merit their doing so.

Release Planning

It is the offender's responsibility to provide an appropriate release plan. An offender should call upon family, friends and relatives to help arrange a place to live, a job, a means of transportation, and moral support. If the source of an offender's trouble is related to the environment to which the offender intends to return, he or she is advised to live elsewhere. If there are no resources in the community to help the offender, the Parole Division's Review and Release Processing Section can assist in making a halfway house placement upon release approval. In this case, the offender should contact an IPO for assistance. Offenders whose crimes were alcohol or drug-related should look for a location where counseling is available for those problems. Additionally, eligible offenders can expedite their job searches by securing certified birth certificates and replacement Social Security cards through the TDCJ-Reentry & Integration Division prior to release.

A parole or mandatory release plan includes the name, address and phone number(s) of the person with whom an offender plans to reside following release to supervision. The offender should provide as many release plans as available when interviewed by the Parole Officer. He or she should also inform the Parole Officer about any changes in the plan that occur after the interview and prior to release. A District Parole Officer (DPO) must verify the plan before the offender can be released.

Does an offender need the services of an attorney or a "parole consultant" in order to be released to parole?

No, it is not required; however, offenders have the right to employ attorneys if they so desire. State law stipulates that anyone receiving a fee for representation of an offender must be a licensed attorney.

What can family members do to help an offender gain parole?

Offenders' behavior and accomplishments in prison are factors that are considered in all parole decisions. Family members should encourage offenders to maintain a clear conduct disciplinary record and to participate in the educational, vocational, and character development programs offered at their unit of assignment. Also, in many instances, the offender must rely on family or friends when arranging a suitable parole plan.

Are Parole Panel members required to interview offenders in person?

It is at the discretion of the individual Parole Panel member to determine which offenders are to be interviewed, with one exception: Board Directive 141.355 requires the lead voter to interview offenders who have served 20 consecutive years or more if they have not been interviewed by a voting panel member during the last two parole reviews. This does not apply to offenders in disciplinary status, diagnosed by medical staff as intellectually disabled, housed in administrative segregation and considered by TDCJ-CID staff as violent or dangerous, or offenders incarcerated in an FCI (Federal Correctional Institution).

Parole Review Periods

Offenders receive an annual review, except those convicted of an offense under Government Code §508.149(a). Those offenders with 2nd and 3rd degree Injury to a Child may have their reviews set off for up to five years (up to ten years where indicated below) by vote of a Parole Panel of the Board. If a Parole Panel designates an offender as Serve All (SA), the offender will not be reviewed again prior to discharging the sentence.

Offenders not eligible for mandatory supervision (those serving a sentence for a violent offense as listed in §508.149(a) of the Texas Government Code):

- Aggravated Assault, 1st or 2nd Degree
- Aggravated Kidnapping, 1st or 2nd Degree
- Aggravated Robbery, 1st Degree
- Aggravated Sexual Assault, 1st Degree (up to ten year set-off)
- Any Offense with an Affirmative Finding of a Deadly Weapon
- Arson, 1st Degree
- Burglary, 1st Degree
- Capital Murder (up to ten year set-off)
- Compelling Prostitution
- Continuous Sex Abuse of a Young Child or Children
- Indecency with a Child
- Injury to a Child, Elderly, or Disabled Individual, 1st Degree
- Murder, 1st or 2nd Degree
- Robbery, 2nd Degree
- Sexual Assault
- Sexual Performance by a Child
- Trafficking of Persons
- A Felony Increased Under Health and Safety Code (Drug-Free Zones)

Parole Panel Voting Options

The voting panels of the Board do not vote just “yes” or “no” on parole cases. The panels have a number of voting options for parole approval. The Board may withdraw an approval vote at any time if new information is received.

Approval Votes

- **FI-1:** (Further Investigation): Release the offender when eligible.
- **FI-2:** Release on a specified future date.
- **FI-3R:** Transfer to a TDCJ rehabilitation program. Release to parole only after program completion and not earlier than three months from specified date. Such TDCJ program may include either CHANGES/Lifeskills, Voyager, Segovia Pre-Release Center (Segovia PRC), or any other approved tier program.
- **FI-4R:** Transfer to a TDCJ rehabilitation program. Release to parole only after program completion and not earlier than four months from specified date. Such TDCJ program shall be the Sex Offender Education Program (SOEP).
- **FI-5:** Transfer to an In-Prison Therapeutic Community Program (IPTC), with release to an aftercare component.
- **FI-6:** Transfer to a DWI Program and release to continuum of care program.
- **FI-6R:** Transfer to a TDCJ rehabilitation program. Release to parole only after program completion and no earlier than six months from specified date. Such TDCJ program may include the Pre-Release Therapeutic Community (PRTC), Pre-Release Substance Abuse Program (PRSAP), or In-Prison Therapeutic Community Program (IPTC), or any other approved tier program.
- **FI-7R:** Transfer to a TDCJ rehabilitation program. Release to parole only after program completion and not earlier than seven months from the specified date. Such TDCJ program shall be the Serious and Violent Offender Reentry Initiative (SVORI).
- **FI-9R:** Transfer to a TDCJ rehabilitation program. Release to parole only after program completion and not earlier than nine months from specified date. Such TDCJ program shall be the Sex Offender Treatment Program (SOTP-9).
- **FI-18R:** Transfer to a TDCJ rehabilitation treatment program. Release to parole only after program completion and no earlier than 18 months from specified date. Such TDCJ program shall be either the Sex Offender Treatment Program (SOTP-18), or the InnerChange Freedom Initiative (IFI).
- **CU-FI:** Designates the date an offender serving consecutive sentences would have been eligible for parole if single sentence.
- **RMS:** Release to mandatory supervision.

Denial Votes

- **NR:** (Next Review): Deny parole and set time for next parole consideration. State law requires annual reviews except for certain violent or sexual cases.
- **SA:** (Serve All): Deny parole with no regular subsequent review, requiring offender to serve balance of sentence.
- **CU-NR:** Deny favorable action and set next review in consecutive sentence case.
- **CU-SA:** Require offender to serve all of current sentence in consecutive sentence case.
- **DMS:** Denies Mandatory Supervision (and sets next review date) because offender's accrued good conduct time does not accurately reflect potential for rehabilitation and offender's release would endanger the public.

Special Review

The Board may receive and consider information not previously available to a Parole Panel when an offender has been denied parole or mandatory supervision release. If the panel based their decision upon erroneous information or an administrative file processing error, the case file may be returned to the original panel to reconsider their vote. This is referred to as a "Special Review." All requests for Special Review shall be in writing and signed by the offender, his or her attorney, or in cases where the offender is unable to sign due to a mental or physical impairment, by a person acting on his or her behalf. Requests shall be filed with the Texas Board of Pardons and Paroles, Board Administrator, 8610 Shoal Creek Blvd., Austin, Texas 78757.

Who is notified about an offender's parole review and/or release?

When an offender enters the parole review process and prior to an offender's scheduled release, the Parole Division notifies the trial officials (district judge, sheriff, and prosecuting attorney) of the county of conviction, the police chiefs of the county of conviction, the county in which the offense was committed (in cases with a change of venue), and the county to which the offender is to be released. Also notified are any victims or others who completed a victim impact statement at the time of trial or who requested notification by telephone or letter (see the Victim Services section of this handbook). These parties are notified in advance of the scheduled parole review in order to solicit their comments regarding the individual's release.

All correspondence regarding an offender, whether written in support of or in opposition to parole, will be added to the offender's permanent file and will be available to the Parole Panel at the time of parole deliberations. It is important for comments to be submitted in a timely fashion, but if protest letters received after a parole review appear to contain significant information previously unavailable to the parole panel, the case will be submitted to the Parole Panel for reconsideration in light of the objection. Each objection is carefully weighed on its own merits.

SUPERVISION

Mandatory Supervision is a legislatively mandated release of a prisoner to parole supervision when the combination of actual calendar time and good conduct time equal the sentence. Good conduct time is credited to an offender for participating in work and self-improvement programs. However, not all offenders are eligible. Offenders convicted of offenses listed under Government Code §508.149(a) are not eligible. Also, the Board may deny mandatory release on a case-by-case basis for offenders whose offense date was on or after September 1, 1996 (DMS).

Rules of Parole and Mandatory Supervision

Persons released on parole and mandatory supervision must abide by certain rules while in the community and are subject to revocation or other sanctions for violations of the rules. Rules of release may include, but are not limited to the following:

- Report as instructed to the supervising Parole Officer;
- Obey all municipal, county, state, and federal laws;
- Obtain the Parole Officer's written permission before changing residence;
- Obtain the Parole Officer's written permission before leaving the state;
- Do not own, possess, sell, or control any firearm, prohibited weapon, or illegal weapon as defined in the Texas Penal Code; do not unlawfully carry any weapon; and do not use or attempt or threaten to use any tool, implement, or object or threaten to cause any bodily injury;
- Avoid persons or places of disreputable or harmful character;
- Do not enter into any agreement to act as an "informer" or special agent for any law enforcement agency without specific written approval of the Parole Division; and
- Abide by any special conditions imposed by a Parole Panel, whether imposed upon release and listed on the release certificate or imposed at a later date.

Clients also agree to abide by all rules of parole and laws relating to the revocation of parole and mandatory supervision, including appearing at any required hearings or proceedings.

Clients are required to pay the Parole Division monthly supervision and administrative fees for each month they are required to report to their Parole Officers, payable as instructed by the officers. Clients who are unemployed can seek permission from the Parole Panel through their Parole Officers to defer payment of these fees, but they must begin payments as soon as they find employment.

Clients granted deferrals remain responsible for the month(s) deferred, and the amount deferred must be paid no later than two years after the date the deferral was approved and must be paid in full prior to discharge. Clients also must make payments toward any outstanding fines, court costs, or fees adjudged against them at the time of sentencing. Such payments are to be made to the appropriate court clerk, with the client providing documentation of the payments to the supervising Parole Officer.

What special conditions can the Parole Panel impose in addition to the rules stated previously?

A Parole Panel may add special release conditions for any offender. The most common special conditions include; sex offender requirements, intensive supervision, electronic monitoring, drug monitoring (urinalysis), or mandatory participation in drug/alcohol treatment, educational programs, or psychological counseling. A Parole Panel may also impose other conditions deemed appropriate to the individual and in the interest of society, including payment of court-ordered restitution to victims. A Super-Intensive Supervision Program (SISP) special condition requires violent/assaultive offenders to be placed on an SISP caseload upon release from prison.

When does release become effective?

A parole release becomes effective when the offender signs his or her release certificate. The certificate orders the release and tells the offender in clear and understandable language where to report and to whom. The certificate lists the conditions of release and gives the date on which the offender will discharge his or her sentence and be free from supervision. The certificate also includes a waiver of extradition. The parole certificate must be signed by the offender.

Offenders released on mandatory supervision are given release certificates that provide parole office information and release conditions. Mandatory supervision offenders are not required to sign their release certificates, but they nevertheless must obey the rules and conditions of supervision and are subject to revocation if they violate the rules or conditions.

What is parole to a community-based facility (Residential Reentry Center/County Jail Work Release Program)?

Residential Reentry Center beds are designated for placement of parole and mandatory supervision offenders either immediately upon release from the Correctional Institutions Division (CID) or upon referral from field staff under specific circumstances. Specifically, some clients who need closer supervision and special services or who lack family and community resources are released to these facilities to ease the transition from prison life to community life. Residential Reentry Centers may provide intensive job search assistance and require offender participation in the savings program, which is described below in the 'rules' section. County jail work release beds are contractually arranged by Texas counties and TDCJ-PD. The program was developed to return the parole or mandatory supervision offender to the offender's county of residence.

What are the rules of a Residential Reentry Center/County Jail Work Release Program?

Each community-based facility has its own rules, but residents must abide by the following general rules:

- Upon release, go directly to the assigned facility and remain there until permission to move is granted by authorized parole officials;
- Obey all facility rules and attend required facility meetings;
- Cooperate with facility officials in monitoring one's whereabouts;
- Remain on the property at all times except for traveling to and from a job or as authorized by facility rules;
- Pay 25% of gross salary toward upkeep in the facility and any specified obligations incurred while a resident; and
- Save 33.3% of gross salary to be utilized in developing a residential plan to transition out of the facility.

Can probation violators be paroled?

Offenders imprisoned for probation violations are no longer probationers. They are therefore eligible for parole consideration or mandatory release in accordance with the same laws and policies that apply to all offenders.

What is "gate money"?

The Correctional Institutions Division provides \$50 and a bus ticket to offenders released on parole or mandatory supervision to help with transportation to the community to which they will be paroled and with other expenses involved in resettling in the community. They receive an additional \$50 upon reporting to their parole office. Clients who are not required to report to a Parole Officer immediately after release or who are released to a detainer or to an out-of-state plan receive the full \$100 at time of release.

How often does an offender report to his Parole Officer?

The number of required visits with a Parole Officer depends on the level of supervision. Basic guidelines follow, but these do not apply to clients on specialized caseloads.

High

- One office contact each month
- One home or field contact each month
- One home or field contact each quarter
- Verification of employment and/or counseling each month
- Residence verification within 30 days of change in address

Moderate

- One office contact each month
- One home or field contact each quarter

- Verification of employment and/or counseling each month
- Residence verification within 30 days of change in address

Low Moderate

- One office contact every other month
- One home contact each quarter
- Verification of employment and/or counseling every other month
- Residence verification within 30 days of change in address

Low

- One office contact each quarter
- Annual home verification
- Verification of employment and/or counseling each month
- Residence verification within 30 days of change in address

Quarterly Reporting

Clients meeting the following criteria may be allowed to report in person for an office visit once each quarter as approved by the unit supervisor of the supervising Parole Officer. Clients must meet and maintain the following criteria for Quarterly Report status:

- No current or prior convictions or deferred adjudication for a non-qualifying offense;
- Reassessment score of minimum supervision status for two (2) years prior to request;
- Current on Supervision and Crime Victim Fund fees, if applicable, which will continue to be due for payment each month unless paid in advance;
- Court mandated restitution and Post-Secondary Education Reimbursement (if applicable) are current with required monthly payments continuing, until paid in full;
- Court costs, fines, or related fees (if applicable) are paid off with no remaining balance;
- Compliant with all special conditions; and
- A warrant has not been issued during the previous seven (7) years of current parole supervision. This does not apply to a warrant issued where subsequently an investigation or administrative review did not sustain a violation.

Annual Report Status

Clients meeting the following criteria may be allowed to report in person for an office visit once per year. Clients shall meet and maintain the following criteria for Annual Report status:

- Satisfactorily complete one (1) year on Quarterly Report status;
- Have no current or prior convictions or deferred adjudication for a non-qualifying offense;
- Be current on Supervision and Crime Victim Fund fees (if applicable), which continue to be due for payment each month unless paid in advance;
- Ensure court-mandated restitution and Post-Secondary Education Reimbursement (if applicable) are paid in full;

- Ensure court costs, fines, and related fees are paid in full; and
- Have no warrant issued during the previous seven years of the current parole supervision period. This does not apply to a warrant issued where subsequently an investigation or administrative review did not sustain a violation.

Early Release from Supervision

Clients may be allowed to serve the remainder of their sentence without supervision and without being required to report. Clients must meet the following criteria:

- Have been under supervision for at least one half of the time that remained on their sentence when released from prison;
- Have been on supervision for two (2) years, plus one (1) year of quarterly report status;
- Have no current or prior felony convictions or deferred adjudication for a non-qualifying offense;
- Be current on Supervision and Crime Victim Fund fees (if applicable);
- Have paid court-mandated restitution and Post-Secondary Education Reimbursement (if applicable) in full;
- Have no warrant issued during the previous seven (7) years of the current parole supervision period. This does not apply to a warrant issued where subsequently an investigation or administrative review did not sustain a violation;
- Have not committed any violation of rules or conditions of release as indicated on their Parole Certificate, during the preceding two (2) year period; and
- Have no current or prior felony convictions or deferred adjudication, including juvenile convictions for the offense that includes the use of a child in the commission of a crime, nor any offenses that were pled down to a lesser degree but may have included an intent to commit sexual assault, bodily harm, etc.

Can offenders be supervised in other states upon release?

Yes. Texas has an agreement with other states, the District of Columbia, Puerto Rico and the Virgin Islands to send and receive offenders for supervision. It is called the “Interstate Compact for Adult Offender Supervision”. The website is www.interstatecompact.org. Offenders sent to other states must obey the rules of both Texas and the supervising state. Upon a decision from the Parole Panel, they must be returned to Texas to continue serving their sentences and are subject to revocation of their release if they violate the rules. A Texas offender who has been accepted for supervision in another state must be retaken by a warrant entered in the National Crime Information Center (NCIC) upon request from the receiving state if the offender receives a new felony conviction; is a violent offender who commits a significant violation; or is convicted of a violent crime. An offender who absconds supervision must also be retaken by NCIC warrant. Retaking is also required if an offender commits three significant violations in the receiving state; however, for offenders who commit three significant violations, the sending state shall order the return of an offender or retake. If the offender does not return as ordered, the sending state is required to issue an NCIC warrant to retake the offender. The decision of whether a violation is significant is determined by the receiving state and is a violation that, if committed by an offender who was sentenced in the receiving state, would result in a request for revocation of supervision.

Retaking is the process used to remove a transferred offender from a receiving state. Offenders transferred under the Interstate Compact waive extradition which is the process used to return a fugitive to a state by order of the Governor. A Governor's order is not required to return an offender whose supervision has been transferred to another state under the Interstate Compact.

The processing of Interstate Compact transfer requests may take several months, since a parole plan must be investigated and accepted by the receiving state. States have 45 days to reply to a transfer request once the request is received in the receiving state's compact office; however, the amount of time needed to finalize an interstate transfer tends to vary widely. Offenders should file timely requests for out-of-state placements and should be aware that they may encounter unanticipated delays. An incarcerated offender seeking to be supervised by another state after release should contact his Institutional Parole Officer. The IPO initiates the Interstate Compact transfer process by having the offender execute an "Offender's Application for Interstate Compact Transfer." A transfer request for a paroling offender may not be submitted to the receiving state any earlier than 120 days prior to the offender's planned release date. An offender who has been paroled should contact his supervising Parole Officer to initiate the transfer request. No offender has a right to Interstate transfer.

What is Parole in Absentia (PIA)?

Some offenders serve their Texas sentences while in the custody of federal facilities, prisons in other states, or city and county jails. The Parole Panel may conduct PIA reviews for such parole-eligible offenders who are incarcerated in non-TDCJ facilities. The Institutional Parole Offices assist in tracking PIA reviews and in preparing the appropriate paperwork.

What happens if offenders violate the terms of release?

For minor administrative rule violations, the Parole Division may, at its discretion, decide to hold a conference with the offender or impose a low-level sanction such as writing a letter of reprimand. However, any offender who is alleged to have committed a new offense, absconded from supervision, or violated any rules, terms, or conditions may have a warrant issued for his or her arrest. Such warrants, which are sometimes referred to as "blue warrants," will be executed by law enforcement authorities. An offender is entitled to a preliminary hearing if the offender is alleged to have committed a new offense; accused of a new offense and later "no-billed" or the charge is dismissed; has a new conviction for a traffic offense where punishment is punishable by a fine only; allegedly engaged in criminal behavior but has no formal charges pending; is arrested on a new criminal charge; does not sign any portion of the Rights of the Offender in the Revocation Process form; or is mentally incapable of understanding his rights. The purpose of a preliminary hearing is to determine whether probable cause or reasonable grounds exist to believe that the offender has committed an act that would constitute a violation of a condition of release. During the preliminary hearing, the Hearing Officer will determine whether enough evidence exists to proceed to a revocation hearing.

An offender is entitled to a revocation hearing if they are alleged to have committed a technical violation(s) only; following a trial or a plea of guilty or nolo contendere for a felony or misdemeanor; or the offender is mentally incapable of understanding the revocation process. At a revocation hearing, testimony is heard, and the Hearing Officer will determine whether enough evidence exists to recommend revocation. Even if the offender has received a new felony conviction, a revocation hearing will be conducted to consider mitigating circumstances, unless the offender waives his or her right to the hearing. If the evidence shows a violation, the Hearing Officer may recommend that the Parole Panel revoke the offender's parole or mandatory supervision. If supervision is not revoked, the Parole Panel may allow the offender to continue supervision under the same or modified conditions or they may order a transfer to an Intermediate Sanction Facility.

Who decides which offenders are supervised on SISP caseloads?

Before being released on parole or mandatory supervision, a Super-Intensive Supervision Program (SISP) referral shall be made for any offender currently serving a sentence in the TDCJ-CID for a present adult conviction or for any offender who is a Texas Juvenile Justice Department (TJJD) transfer to Parole Division supervision for:

- Any offense that involved an act of violence or that contains an affirmative finding of a deadly weapon;
- Any offender identified as a member of a Security Threat Group and has 3 felony convictions;
- Any offense committed within a Drug Free Zone or involved use of a child in the commission of the offense.; and
- Any offender referred at the discretion of Parole Division Director or Chair of the Board of Pardons and Parole.

If an offender has already been released on supervision but otherwise meets the above criteria, the offender may be referred to the Parole Panel for consideration for placement on SISP. The Parole Panel makes the final decision on SISP placement.

SPECIALIZED PROGRAMS

Specialized Programs

The Specialized Programs section administers a wide range of rehabilitative, therapeutic, and resource programs. These programs were created to help the Parole Division accomplish its mission of enhancing public safety by successfully reintegrating clients. The programs are designed for clients at various points in the criminal justice process and for those with special needs. The Division contracts with private vendors for various therapeutic services. Programs are designed to assist pre-release and post-release clients in adapting to more productive experiences, environments, and opportunities for self-improvement.

District Reentry Centers (DRC)

The DRC is a comprehensive approach to reentry with services promoting personal growth, accountability and responsibility. DRC's target high-risk clients unable to complete prior supervision periods. Clients reporting as new arrivals, not already assigned to a specialized caseload, and those referred by the field as a graduated sanction, may be placed on a DRC caseload. After assessing the clients' needs, referrals are made for appropriate programming found at the DRC. DRC's are assisted by staff, volunteers, contracted vendors, and community agencies to address needs in five (5) core areas: Anger Management, Cognitive Restructuring, Pre-employment, Substance Abuse, and Victim Impact Panel. Compliance is monitored through a Rapid Response System, which increases client accountability. Unit supervisors designate rapid response staff responsible for face-to-face contacts with the client within 24 hours of a reported problem.

The Serious and Violent Offender Reentry Initiative (SVORI) program is a component of the DRC. SVORI is a joint initiative between the Correctional Institutions Division (CID), Rehabilitation Programs Division, and the Parole Division. The program is comprised of two (2) phases and is aimed at combating recidivism, promoting public safety, and reintegrating administrative segregation offenders into society. SVORI provides transitional services that begin in CID at the Estelle Unit (Phase I) and continue when the client is released to supervision and placed on the DRC caseload (Phase II). To be eligible for the program, the client is to be released to a county serviced by a DRC (Bexar, Dallas, El Paso, Harris, Hidalgo, Jefferson, Lubbock, McLennan, Nueces, Tarrant and Travis) or to a county that borders one of the above listed counties.

Employment Assistance

Employment assistance is available to clients through the Texas Workforce Commission (TWC) development centers statewide. The services provided by TWC vary and are the same as those services provided to the general public in Texas including job search assistance, resume and application assistance, and vocation training when available.

Adult Education Assistance

The primary program for providing educational assistance to offenders is Project COPE (Community Opportunity Programs in Education), a consortium of the Parole Division, Texas Juvenile Justice Department, Windham School District, Community Supervision and Corrections Departments, and community adult education providers. The goal of COPE is to deliver education services to clients with education skills below the sixth grade level and an EA score of 6.9 or lower and provide basic educational/vocational training to assist clients in obtaining General Equivalency Diplomas. Parole Officers refer clients to education classes where available by using Texas Connector.

Cognitive Intervention

Turning Point for Parole is a 10-week cognitive intervention program designed to help clients develop the motivation and ability to change criminal behavior, thereby lessening the probability they will recidivate. The goals of this program are to: (1) teach clients to change and manage antisocial feelings and thinking; (2) increase clients' self-control, self-management, and problem-solving skills; (3) demonstrate processes for replacing antisocial habits, such as lying, stealing, and aggression, with pro-social skills; and (4) enable clients to recognize risky situations and use a concrete, well-rehearsed plan for dealing with these types of situations. DRC Parole Officers must complete all required training before delivering this program.

SEX OFFENDERS on SUPERVISION

Which offenders can be placed on the sex offender caseload?

- Offenders with a current sex offense conviction, adjudication, or deferred adjudication, or a prior adult sex offense conviction or adjudication.
- Offenders with a current non-sexual offense where criminal sexual behavior was exhibited, or a discharged juvenile sex offense adjudication.

How is the supervision of the sex offender more specialized than with other offender populations?

Parole Officers who supervise sex offenders attend specialized training schools to enhance their expertise in supervising this offender population. The caseload ratio is 30:1 with a range of contacts based on the offender's risk level. Parole Officers work closely with the therapist and polygraph examiner, which constitutes the team concept of supervision. The team works together to identify the offender's risk to the community and needs for successful reintegration. The team discusses the offender's offense cycle in order to recognize if the offender is engaging in risky behavior such as alcohol use, contact with children, anger control problems, etc. Parole Officers assess the offender's home and work environment to enhance compliance with parole supervision rules and special conditions. The behavior and a potential situation that may not be problematic with other offender populations could potentially be high risk to a sex offender; for instance, being in areas where children commonly gather, depression, isolation, etc. Therefore, these issues must be addressed to help the offender increase the likelihood of being successful and to protect public safety.

Are sex offenders required to attend counseling?

Some offenders are required by statute to attend sex offender treatment while others are required by a Board imposed special condition. The majority of sex offenders are attending counseling on a weekly basis.

How often do officers meet with the sex offender each month?

The offender's risk, as determined by risk assessment tools, determines the minimum number of contacts. Contacts range from two to five face-to-face contacts per month. Contacts are required in the office, home and field. Home and field visits are unscheduled in order for the officer to obtain an accurate picture of the offender's lifestyle and compliance with parole supervision rules and special conditions. In addition, at least one collateral contact is required for each offender per month. Parole Officers have contact with the offender's employer, therapist, and other significant persons in the offender's life.

What if a sex offender cannot afford counseling?

Offenders who are indigent may receive assistance from the Parole Division for counseling costs. Sex offender treatment contracts are at selected sites statewide.

What type of treatment is most effective for sex offenders and how long is a treatment program?

Many treatment modalities are used with sex offenders. The most widely used form of therapy is "cognitive restructuring," which employs group confrontation methods to expose an offender's thinking errors and deviant behavior patterns. This type of therapy is considered to be the most effective form of treatment for sex offenders. The group confrontation tends to break through denial issues more quickly than individual counseling. Offenders remain in treatment until released by the therapist, Parole Officer, and, in some cases, the Board. Treatment is generally on a weekly basis and can last two to five years. Some offenders may need lifetime treatment.

How does sexual deviancy treatment differ from other forms of treatment?

More limits and boundaries are set with this type of treatment than with other traditional therapy methods. For example, the therapist may play a role in monitoring the offender's employment regarding access to vulnerable individuals or in setting limitations on where and with whom the offender may live. In addition, a "duty to warn" permits a therapist to waive confidentiality - within very strict limits — in order to permit notification to significant others (including family, employers, potential victims, and Parole Officers) of treatment progress, goals, and problems.

Is a sex offender's treatment progress confidential?

By law, offenders must give written permission for treatment records to be released with the exception of information covered by the "duty to warn" provision. In addition, the law allows sex offender treatment progress to be shared between the therapist and criminal justice agencies without the offender's written consent.

Can sex offenders who are under the jurisdiction of the Parole Division ever visit or live with children?

Yes. However, consent for such living arrangements would be at the discretion of the Board, which is responsible for imposing the special conditions of supervision. The Board generally relies on the supervising Parole Officer and the sex offender therapist to assist in deciding whether an offender should be allowed to be around children.

How are offenders that are mentally impaired, intellectually disabled, terminally ill or physically handicapped supervised?

The Special Needs Offender Program (SNOP) caseload supervises clients who are mentally impaired, intellectually disabled, terminally ill, or physically handicapped. One of the goals of SNOP is to provide a continuity of care for clients with special needs. These clients are assessed while in TDCJ-CID and are referred to appropriate community resources prior to release. SNOP Officers identify, coordinate, and develop support systems that provide the offender with educational, vocational, financial, residential, and counseling support services in the community. The SNOP Officers also facilitate resources for clients who were not previously identified by Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI). The clients who are placed on the SNOP caseload are supervised under one of the following categories:

Mentally Impaired (MI)

The MI category of the SNOP caseload is designed to provide clients with mental illness community-based treatment alternatives when released to parole or mandatory supervision. The SNOP caseload provides appropriate supervision of clients with documented mental health history of hospitalization or medication involving a severe and persistent mental disorder such as Schizophrenia, Bipolar Disorder, Major Depression, Psychotic Disorder, Delusional Disorder, Post-Traumatic Stress Disorder, or Anxiety Disorder.

Intellectual Developmental Disorder (IDD)

The IDD category of the SNOP caseload seeks to maximize the potential of clients with intellectual disabilities released from the TDCJ-CID to parole or mandatory supervision. Clients must meet one of the following criteria to be eligible for the SNOP caseload:

- Have an IQ of 70 or below, based on valid psychological testing and must have demonstrated “Adaptive Behavior Deficits” before the age eighteen; or
- Offender participated in the TDCJ-CID Developmental Disabilities Program (DDP) while incarcerated.

Terminally Ill/Physically Handicapped (TI/PH)

The TI/PH category of the SNOP caseload is designed to provide appropriate supervision to clients with a documented terminal illness or a severely disabling physical handicap. The SNOP Officer utilizes a network of community providers and support systems including, but not limited to nursing homes, hospitals, intermediate care facilities, hospice agencies, advocacy groups and the Texas Correctional Office on Offenders with Medical or Mental Impairment (TCOOMMI) Human Service Specialists.

Services provided for Medically Recommended Intensive Supervision (MRIS)

Individuals released on MRIS are mentally ill, intellectually disabled, elderly, terminally ill, under long term care, or are physically handicapped. The program was established in 1991 and allows for the early parole review of certain categories of offenders. For all potential MRIS offenders, the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI) ensures the parole plan provides intensive case management, appropriate supervision by specialized Parole Officers, and suitable placement in the community. Services for this special population are provided via TCOOMMI contracts with the Texas Department of Health and Human Services and TCOOMMI/TDCJ contracts with local Mental Health Authorities (LMHA) and The Department of Aging and Disability Services (DADS).

SNOP caseload officers

Specialized officers receive training related to intellectual disabilities, mental illness, terminal illness, physical impairments, and community resources. These officers utilize a community network of services, make appropriate referrals, and ensure there is intensive follow-up for the treatment needs of their caseload.

Services available for SNOP caseload offenders

The Parole Division and TCOOMMI fund programs in four of the largest counties in the state (Bexar, Travis, Harris, and Tarrant). These programs provide comprehensive case management and treatment services for clients with special needs. Additionally, TCOOMMI funds programs in the remaining counties in the state for probation and parole clients. The TCOOMMI website is located at: www.tdcj.texas.gov.

Programs available for offenders with substance abuse issues

Clients with substance abuse issues may obtain treatment while on parole or mandatory supervision through a wide range of programs, ranging from outpatient counseling to long-term participation in residential and/or outpatient treatment programs. One goal of these programs is to ensure an automatic continuum of care for individuals who participated in intensive drug treatment programs while incarcerated (i.e. the IPTC/SAFPF program). Another goal is to ensure the Parole Division's Parole Officers make appropriate treatment referrals for clients identified in need of substance abuse services. The Parole Division's Substance Abuse Counseling Program (SACP) is an innovative program. SACP consists of education, counseling, and treatment services designed to reduce the recidivism rate of clients who submit a positive urinalysis test, admit to drug use while on supervision or request help with drug or alcohol abuse. SACP provides a three tiered rehabilitative program for clients.

In-Prison Therapeutic Community (IPTC)

In a Therapeutic Community, people with similar needs and problems (such as substance abuse) work together toward a common goal (positive behavior change). Members of the group provide mutual support and acceptance of responsibility and accountability. An integral part of this treatment modality is Cognitive Intervention, teaching clients how drug use affects themselves and those around them.

In-Prison Therapeutic Communities (IPTC) are operated in some TDCJ prison units and are available only for offenders. In an IPTC, offenders are placed in units where they receive long-term intensive chemical dependency treatment and rehabilitation, for six to nine months. Successful participants are subsequently released to the community, where they participate in a continuum of care program while under supervision by the Parole Division. Upon successful completion of the IPTC program, an offender will be placed in the continuum of care at a residential Transitional Treatment Center or the Phase IB outpatient aftercare program for 90 days, followed by up to nine months of supportive outpatient care. The IPTC is designed to be a six to nine month program in the prison setting, with an aftercare component. The length of the program is based on offender progress and needs.

Transitional Treatment Center (TTC)

A Transitional Treatment Center (TTC) is a state contracted/licensed facility where clients who have completed the IPTC/SAFPF program are placed for up to 90 days to participate in Phase 1 of the continuum of care. Offenders are placed in these facilities based on their Legal County of Residence (LCOR). If a facility is not available in a client's LCOR, the client is typically placed in a facility as close as possible to their LCOR. Once clients have successfully completed Phase 1 Residential, they are transitioned to Phase II, Supportive Outpatient Treatment, of the continuum of care program. Therapeutic Community (TC) offenders released to supervision are assigned to the TC caseload and supervised by specialized trained officers.

Phase 1-B

Phase 1-B is an alternative to residential placement for clients who meet specific criteria. Phase 1-B allows clients to release to an approved home plan with a supportive sponsor, who must acknowledge verifiable offender transportation to treatment programming. The home plan must also be within a reasonable distance to a Phase 1-B vendor and the offender must agree to the terms and conditions of treatment. Clients participating in this aftercare program receive the same amount of treatment as clients released to Phase I Residential; however, they are residing in their home instead of in a residential facility. During their 90 days of treatment, clients in this program will complete six hours of chemical dependency counseling/education weekly. Clients will also have monthly urinalysis testing while in this program and must attend weekly peer support groups and recovery oriented support groups. Once clients have successfully completed Phase 1-B, they are transitioned to Phase 2, Supportive Outpatient treatment, of the continuum of care. Therapeutic Community (TC) clients released to supervision are assigned to the TC caseload and supervised by specialized trained officers.

Substance Abuse Felony Punishment Facility (SAFPF)

Like the IPTC program, SAFPf's are designed to allow residents with substance abuse problems to work together in a Therapeutic Community. These facilities offer chemical dependency treatment delivered in a secure setting.

However, SAFPf participants are either probationers sentenced as a condition of their probation or certain types of parole clients. Specifically, clients who have violated conditions of release and who have been designated by the Parole Panel for treatment in lieu of revocation, may be placed in a SAFPf.

The client sentenced to the SAFPf must remain incarcerated in a county jail until bed space is arranged at the SAFPf. A SAFPf placement may also be given to parole or mandatory supervision clients who received a probated sentence for a new offense committed while under supervision. Such clients having crime-related substance abuse problems can receive indeterminate sentences of six to nine months and receive substance abuse treatment in SAFPf facilities. Clients who complete the program will continue with the aftercare continuum of care component upon release to the community.

The Board must modify the conditions of parole or mandatory supervision in order to assign a client to a SAFPf. Those who are sent to a SAFPf are often in pre-revocation status due to technical violations or adjudicated misdemeanors. Participants must meet the following criteria:

- The client has been screened as chemically dependent;
- The client has not committed a sex offense;
- No felony charges are pending against the client;
- The client's parole or mandatory supervision has not been formally revoked by a Parole Panel;
- The client's discharge date exceeds 18 months from the date of the Parole Panel's decision; and
- The client must be medically capable of participating in treatment.

The SAFPf program is designed to be a six to nine month program in the secure facility setting with an aftercare component. Again, the length of the program is based on offender progress and needs.

Substance Abuse Counseling Program (SACP)

There are many parole and mandatory supervision clients who have not been in IPTC or SAFPf programs, but nevertheless have needs related to substance abuse problems. For such individuals, the Parole Division's Substance Abuse Counseling Program includes education, relapse prevention planning, counseling, and treatment for clients.

The SACP program is comprised of three intervention levels to ensure the most appropriate rehabilitative strategy will be available for clients who have substance abuse histories and/or who are actively using illegal drugs or alcohol. Level I is a four-hour substance abuse education and relapse prevention planning class, which is provided to all newly released

clients with the appropriate special condition imposed. Level II is up to ninety (90) days of outpatient counseling and treatment services. Level III is up to ninety (90) days of inpatient substance abuse treatment at an Intermediate Sanction Facility (ISF). SACP-ISF clients who successfully complete the ISF program receive up to 90 days of Level II outpatient counseling and treatment services after release to provide structure, support, and aftercare to promote drug and alcohol abstinence.

The SACP Level II and Level III program may provide up to six months of counseling and treatment services to offenders, with Division approval.

What is the Parole Officer's role in substance abuse program aftercare?

Parole Division specialized Therapeutic Community (TC) Parole Officers are actively involved in each offender's post-IPTC or SAFPF transition from incarceration to society. Specialized Parole Officers are trained to work with program participants in a multi-phase Continuum of Care plan, which begins upon release from an IPTC or SAFPF. The specialized Parole Officers can also facilitate access to further treatment and to a variety of support services.

Parole Officers who supervise non-TC clients, monitor the client's risk and use of illegal drugs and alcohol, participation in SACP Level II services, and required attendance in community-based recovery oriented support groups.

Drug Testing

Tests will be administered to a randomly selected sample of all clients under supervision. In addition, an offender may receive "targeted" testing if evidence indicates possible current use of illicit substances, or an abuse of drugs, or if the offender falls into one of the following categories:

- Graduates of an IPTC or a SAFPF;
- Offenders with a Special Condition requiring urinalysis imposed by the Board;
- Offenders with a record of conviction for an offense involving substance or drug abuse (SACP Level II are to receive monthly UA's);
- Offenders whose criminal history reveals that use of substances or drug abuse was associated with the commission of any offense; and
- Offenders with a history of addiction and/or dependency to drugs.

All clients receive an initial drug and alcohol test upon release. The frequency of subsequent testing will be determined based on the results of the initial test, and whether the officer suspects drug use and agency policy. Additional testing may occur from a computer-generated random selection of all offenders under supervision.

Substance abuse treatment programs must conform to Federal Regulation (42 CFR Part 2, 1987) on the Confidentiality of Alcohol and Drug Abuse Records. Accordingly, they must protect the confidentiality of client records and must specify conditions and procedures for the release of information. A signed consent by the client is a prerequisite for release of any treatment records or information.

- Drug test results may be used as evidence of a violation in an administrative hearing conducted by the Board.
- If the client signs a Consent for Disclosure form and specifically consents to release, drug test results may be released to a substance abuse treatment provider being used by a client or to specified individuals or organizations.
- A court order is issued due to civil or criminal charges.

What happens if an offender relapses?

The Parole Division utilizes graduated interventions for clients, some of which require Parole Panel actions. The following are options available for clients who relapse:

- Modify treatment modality
- Increase the supervision level
- Utilize SACP Level II
- Place the client in a community-based treatment facility
- Place the client in a more intensive treatment modality
- Place the client in an Intermediate Sanction Facility (ISF)
- Place the client in a Substance Abuse Felony Punishment Facility (SAFPF)
- Request a Pre-Revocation Warrant
- Revoke supervision

How is the family involved in the Therapeutic Community (TC) Continuum of Care for offenders with substance abuse problems?

Clients seeking Phase I-B placement are required to have family participation prior to selection for Phase I-B placement. Client families/sponsors must attend three (3) sessions in person or by phone for a client to be placed in the Phase I-B program. Families and significant others will be contacted and asked to join a treatment team which consists of the client, a specialized Parole Officer, and a primary counselor. The specialized Parole Officer will maintain contact with interested families in order to attempt to build support for and interest in the client's recovery.

The specialized Parole Officer or primary counselor will contact families once the client signs the proper consent forms. If the family chooses to be part of the team, participation is optional upon the individual's release.

WARRANTS SECTION

The Warrants Section of the Parole Division is responsible for functions related to the processing of parole violations, including warrant issuance, publication of the warrant on the NCIC/TCIC system, and the execution of the warrant. During the 84th Legislative session, the Legislature passed a bill allowing certain offenders to be released on bond pending a revocation hearing. The Warrants Section is also responsible for the extradition of offenders back to Texas, and processing offenders that have returned to a prison unit and have not been subjected to the revocation process. In addition, the Warrants Section administers the Super-Intensive Supervision Program (SISP) and the Electronic Monitoring (EM) Program.

Super-Intensive Supervision Program (SISP)

The Super-Intensive Supervision Program (SISP) was created by the 75th Legislature to provide the level of supervision and monitoring for potentially dangerous offenders that will best protect public safety. SISP is the highest level of supervision provided by the Parole Division. All offenders on SISP are monitored with Global Positioning System (GPS) technology and are required to comply with 24 hour-a-day schedules, which must be pre-approved in writing by their Parole Officer.

Sex offenders supervised on SISP

Sex offenders on SISP are required to participate in sex offender treatment programs and comply with all other aspects of sex offender supervision as well as the components of the SISP Program. All sex offenders with a special condition for monitoring (SISP or EM, which is outlined below) are monitored with GPS technology.

How is SISP different than the supervision of other caseloads?

Offenders on SISP are supervised by specially trained Parole Officers with caseload ratios of 14 SISP offenders per officer. Parole Officers are required to complete six face-to-face contacts per month and review the offenders' GPS location information each business day. Technical violations committed by offenders supervised on SISP are not subject to the Parole Division's policy regarding the enforcement of graduated sanctions.

SISP Parole Officers respond to all violations that are generated during normal business hours and can request parole violation warrants 24 hours a day, seven days a week. Alerts generated during non-business hours (weekends, holidays and hours between 5 pm and 8 am) are processed by the Command Center.

How long are offenders required to remain on SISP?

Offenders remain on SISP until they discharge their term of supervision or until the designated Parole Panel votes to remove the SISP special condition and allow the offender to be placed on a different type of caseload. All SISP offenders are referred to the designated Parole Panel annually for consideration for removal of the SISP special condition.

Electronic Monitoring

Electronic Monitoring (EM) is a technology that supplements the ability of the Parole Officer to supervise offenders, as well as to provide an additional surveillance tool to the Parole Officer. The technology is used to monitor an offender's pre-approved curfew and can be used as a sanction for offenders requiring a higher level of supervision than normal supervision provides.

HEARING PROCESS

When the Parole Division discovers a potential violation of parole or new criminal charge(s) it is investigated by a Parole Officer employed by TDCJ. It is at their discretion whether to impose graduated local sanctions such as a verbal warning, a conference with a supervisor, increase the reporting requirement, refer the offender to substance abuse counseling, or issue a pre-revocation warrant or summons for the offender. The warrant, sometimes called a “Blue Warrant” serves as a mechanism to place the offender in-custody pending an administrative pre-revocation hearing. A summons allows the offender to remain under supervision, working, attending programs, and remaining with his family pending the convening of a hearing. Prior to the hearing, the Parole Division may withdraw its warrant and continue supervision of the offender with or without additional graduated local sanctions.

Hearing Operations

Hearing Operations facilitates the parole revocation hearings process, which includes:

- scheduling hearings;
- reviewing attorney determination requests and appointment of attorneys;
- conducting hearings;
- reviewing hearing reports and waivers for those who have waived their hearing(s);
- making recommendations to the Parole Panels;
- conducting hearings for cases being supervised by Texas for another state; and
- providing a process for reconsideration of a revocation decision.

Types of Hearings

A preliminary hearing is conducted to determine whether probable cause exists to proceed to a revocation hearing. This is the same level of proof needed when a Police Officer pulls you over for a traffic stop or a Magistrate sets a bond. Only offenders with pending criminal charges or unfiled charges are entitled to a preliminary hearing.

A revocation hearing is conducted to determine whether a preponderance of credible evidence exists to believe that one or more conditions of release have been violated. A preponderance means that there is more evidence than not that a violation occurred. A revocation hearing may be conducted for law violations where there has been probable cause found in a preliminary hearing, a conviction has occurred, or if there are only technical violations alleged. There must be an affirmative finding in the revocation hearing for a Board panel to take action. The panel has several options: the offender may be continued on supervision with or without additional graduated sanctions; they may be incarcerated in an Intermediate Sanction Facility for a limited period of time while remaining on supervision; or an offender’s parole or mandatory release may be revoked.

NOTE: An offender has the right to waive their hearing(s) if eligible to do so.

How the Administrative Hearing Process Works

An offender can get to a hearing either due to a warrant being issued by the Parole Division or due to a summons while they remain on supervision. When the hearing is due to a warrant there are generally two categories of offenders arrested: 1) those entitled to both preliminary and revocation hearings, and 2) those entitled to a revocation or mitigation hearing only. If the offender is not eligible for bond at the initial interview with the Parole Officer, the offender is required to choose whether they want to have their hearing(s) or waive their right to one or both hearings.

Parole Panel Decision Making

Hearings and waivers are decided by a majority of a three-member Parole Panel consisting of Board Members and Parole Commissioners. There are seven panel locations throughout the state. Where a case is considered is generally determined by the geographic location where the offender is in custody. Board analysts located at each panel location review hearings and waivers for presentation to the panel. Additional analysts at the Central Administration office review Super Intensive Supervision Program (SISP) cases.

Rights of the Offender

Once the offender is detained and the Parole Division decides to request a hearing, the offender is interviewed by a Parole Officer. The offender is advised of their rights in the revocation hearing process to:

- be personally served with written notice of alleged parole violations;
- a preliminary hearing, unless the offender is accused only of administrative violations or has been convicted of a new criminal offense. The purpose of this hearing is to determine if there is probable cause to believe a condition of release was violated. In some cases, the offender may choose to waive the preliminary hearing;
- a revocation hearing, if the offender is alleged to have committed administrative violations or has been found guilty in a criminal case;
- full disclosure of all the evidence against the offender before the hearing;
- hire an attorney, and, under certain circumstances, the conditional right to a state-appointed attorney;
- tell the Hearing Officer in person what happened and to present evidence, affidavits, letters, and documents to support their position, including the right to subpoena witnesses through the Parole Officer;
- confront and cross-examine adverse witnesses (unless the Hearing Officer finds good cause to deny confrontation); and
- be heard on the allegations by someone designated by the Board.

If parole or mandatory supervision is revoked as a result of the hearing, the offender receives a written report by the Hearing Officer which describes the evidence relied upon in finding a violation. In certain cases, the offender may petition the Board to reopen the revocation hearing.

Actions Taken During the Parole Revocation Process

The Parole Panel may make any of the following decisions in the revocation process:

- Proceed to a revocation hearing;
- Transfer to an Intermediate Sanction Facility (ISF);
- Transfer to a Substance Abuse Felony Punishment Facility (SAFPF);
- Continue on supervision, with or without modifying conditions of release;
- Allow to discharge if the offender is past the discharge date; or
- Revoke the parole or mandatory supervision release.

Under what circumstances can a hearing be reopened?

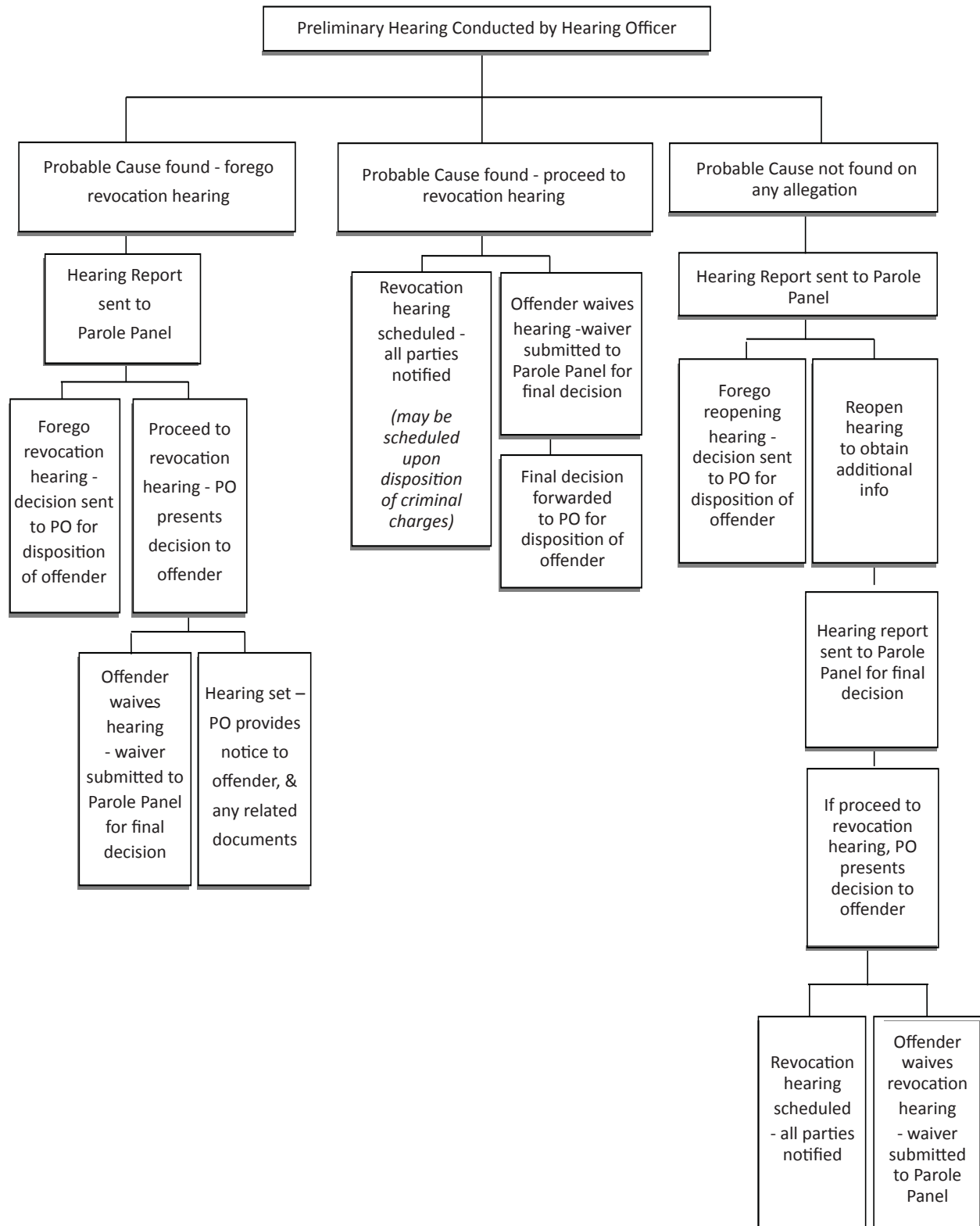
When an offender receives notice that the Parole Panel's decision is revocation, they will have 60 days from the date of the decision to request the hearing be reopened. Such a request will be granted under the following circumstances and/or on the following grounds:

- for any substantial error in the revocation process; or
- upon newly discovered information.

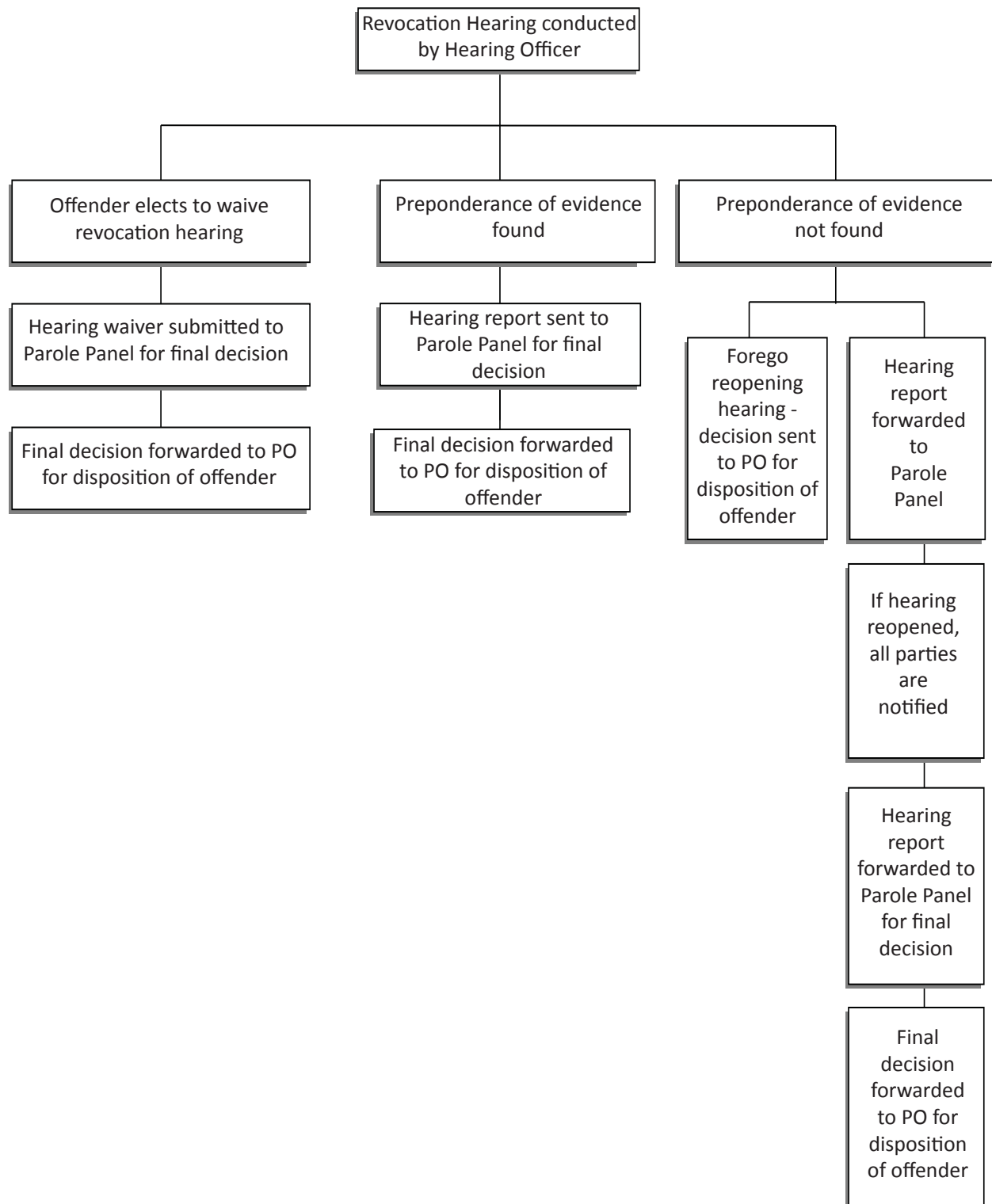
Upon receipt of a request for reopening, a Parole Panel will either:

- grant the motion and order the hearing reopened for a stated, specific and limited purpose;
- deny the motion; or
- reverse the previous revocation decision.

Preliminary Hearing Procedures



Revocation Hearing Procedures



CLEMENCY

Clemency

The Governor has the authority to grant clemency upon the written recommendation of a majority of the Board of Pardons and Paroles (Board). Clemency includes full pardons after conviction or successful completion of a term of deferred adjudication community supervision, conditional pardons, pardons based on innocence, commutations of sentence, and reprieves. In capital cases, clemency includes a commutation of sentence to life in prison and for a reprieve of execution. The Governor may also grant a one-time reprieve of execution, not to exceed (30) days, without a Board recommendation.

What is a Full Pardon?

A full pardon is a form of clemency available to a person, who has been convicted of a felony, misdemeanor or traffic offense, or who has successfully completed a term of deferred adjudication community supervision.

What is the effect of a Full Pardon?

A full pardon restores certain citizenship rights forfeited upon criminal conviction, such as the right to serve on a jury, to hold public office, and to serve as executor or administrator of an estate. In Texas, voting rights are automatically restored when one discharges a felony sentence. A full pardon will remove barriers to some, but not all, types of employment and professional licensing. Licenses are granted at the discretion of the state licensing boards for each profession, and requirements for restoring licensing eligibility in a particular field should be obtained from that licensing board. A pardon will not restore eligibility to become a licensed peace officer in Texas. A full pardon will not be considered for an offender while in prison except when exceptional circumstances exist. A person receiving a full pardon after a conviction is entitled to an expunction of all arrest records relating to the conviction. This requires the applicant to request an expunction from the appropriate state court.

Is Clemency available for a trafficking victim?

Yes. A person convicted of an offense listed in the Penal Code, Section 20A.02, Trafficking of Persons, may apply for clemency by completing a Full Pardon application.

What is a Posthumous Pardon?

A full pardon may be considered for a person who is deceased. The application must be submitted by a person acting on behalf of the deceased.

What is a Pardon for Innocence?

A pardon based on innocence exonerates a person of the crime and erases the conviction when there is evidence of actual innocence or a court has determined the person is innocent. In order to consider a pardon for innocence, the Board requires either evidence of actual innocence from at least two trial officials, or the findings of fact and conclusions of law from the district judge indicating actual innocence.

What is a Conditional Pardon?

A person with a conditional pardon remains subject to conditions of release. A conditional pardon does not restore civil rights or rights of citizenship, and the Governor can revoke the pardon if a person does not comply with the conditions of release. A conditional pardon will only be considered after minimum statutory parole eligibility has been attained.

What is a Commutation of Sentence?

Commutation of sentence reduces a sentence to a lesser time period. A commutation may be granted for time served. Commutations of sentence will be granted only upon the written recommendation of a majority of the applicant's trial officials in the county of conviction, stating that the penalty now appears to be excessive and recommending a definite term, based on new information not before the judge or jury at trial, or a statutory change in the penalty.

What is an Emergency Medical Reprieve, Reprieve for Family Emergency, or, Emergency Reprieve to attend Civil Court Proceedings?

A reprieve is a delay or temporary suspension of punishment. Offenders who are terminally ill (six months or less to live), totally disabled, or who have been denied Medically Recommended Intensive Supervision (MRIS) may seek an emergency medical reprieve. Offenders also may seek a reprieve to attend civil court proceedings. As with other forms of clemency, the Governor may grant a reprieve upon written recommendation of a majority of the Board Members. A request for a reprieve for family emergency to attend funerals or to visit critically ill relatives may be made by applying to the Board's Clemency Section.

How do I request Clemency?

For information regarding the clemency process and to obtain applications, please visit the Board's website <http://www.tdcj.texas.gov/Board/>. All other clemency inquiries may be directed to the Clemency Section by calling (512) 406-5852 from 8:00 A.M. to 5:00 P.M. Monday through Friday; sending written correspondence to 8610 Shoal Creek Blvd. Austin, Texas 78757; or, via fax to (512) 467-0945. Once all appropriate documents required by the rules are received and all application forms are complete, the application will be submitted to the Board for review and consideration.

Applications for Reprieve of Execution and Commutation to Life in Prison in Capital Cases.

In capital cases, the applications for commutation of sentence to life in prison and for a reprieve of execution must be received at least 21 days prior to the scheduled execution date. If the Board recommends clemency in a capital case, the Governor may grant commutation or a reprieve. The length of the reprieve can be 30 days or longer, in increments of 30 days. The Governor may also grant a one-time 30-day reprieve of execution without a recommendation from the Board.

VICTIM SERVICES

The mission of the Victim Services Division (VSD) is to provide a central mechanism for victims to participate in the criminal justice system. The VSD provides statutorily-mandated services to crime victims, close relatives of a deceased victim, guardians of a victim, witnesses who testified at trial against the defendant, victim services professionals, criminal justice professionals and concerned citizens. The primary contact information for Victim Services is as follows:

Victim Services Division
P. O. Box 13401
Austin, Texas 78711
Phone: (512) 406-5900
Fax: (512) 452-0825
Victim Hot Line: 1-800-848-4284
E-mail address: victim.svc@tdcj.texas.gov

Who is a victim?

A “victim,” as defined by the Texas Code of Criminal Procedure, Article 56.01(3) means a person who is the victim of the offense of sexual assault, kidnapping, aggravated robbery, trafficking of persons, or injury to a child, elderly individual or disabled individual or who has suffered personal injury or death as a result of the criminal conduct of another. Pursuant to the Texas Government Code §508.117(g)(3), a “victim” means a person who is a victim of sexual assault, kidnapping, aggravated robbery, or felony stalking or has suffered bodily injury or death as the result of the criminal conduct of another. A close relative of a deceased victim or legal guardian of a victim may also be considered victims of crime. The VSD will provide services to any concerned citizen upon request, regardless of whether they are a victim in the narrow sense defined above. Some of the services available through the VSD are:

- Assistance with processing Victim Impact Statements (VIS), protest letters, and other information submitted for review by the Board of Pardons and Paroles (Board);
- Assistance in determining offender status;
- Information and referral, including an online Victim Assistance Resource Directory that provides resources in each Texas county;
- Explanation of parole and mandatory supervision procedures;
- Victim notification, including automated and manually generated notifications by letter, email, or both, throughout the parole review process and in situations where there are escapes, recapture and offender deaths during incarceration or while under supervision;
- Automated telephone system available to victims 24 hours a day providing limited offender information;
- Training of criminal justice staff on victim sensitivity issues (parole, community supervision and corrections and Correctional Institutions Division [CID]);
- Public presentations;
- Accompanying victims to Victim Impact Panels, which includes panels for Parole Officers, offenders, and criminal justice professionals;
- Victim witness screening and preparation prior to viewing an execution;
- Victim Offender Mediation-Dialogue Program;
- Texas Crime Victim Clearinghouse; and
- Parole Board Accompaniment.

What is a Victim Impact Statement and where can one be obtained?

A Victim Impact Statement (VIS) is a form that provides information to victims about their rights; collects the victims' name and contact information to facilitate notification about an offender's status, if requested; and provides the victim with an opportunity to record the impact of a crime on a victim, the guardian of a victim or a close relative of a deceased victim. The VIS is how key decision makers such as judges, prosecutors, the Board and other participants in the criminal justice system learn about the emotional/psychological, physical, and financial impact of the crime on the victim and family members.

The attorney representing the state is required to give each victim of the offense a VIS form not later than the tenth day after the date that the indictment or information is returned against a defendant for an offense. The VIS forms are also available through the Texas Department of Criminal Justice website at:

http://www.tdcj.texas.gov/publications/pubs_victim_impact_statement.html

What rights do I have as a victim?

The rights of crime victims within the criminal justice system are described in Chapter 56 of the Texas Code of Criminal Procedure. Additional victims' rights are in Chapter 508 of the Texas Government Code and are relevant when an offender is confined, incarcerated, on community supervision (probation), in the parole review process, or on parole or mandatory supervision. Some of the additional rights pertaining to the parole process include:

- The Board is required to make a reasonable effort to notify the victim, legal guardian of the victim, or close relative of a deceased victim before a Parole Panel considers an offender who is serving a sentence for an offense in which a person was a victim, for release to supervision.
- In the event that the close relative (as defined by Government Code §508.117) of a deceased victim is deceased or incapacitated due to physical or mental illness or infirmity, the nearest relative of the deceased victim by "consanguinity" (relationship by descent from a common ancestor; kinship) may have a right to provide a written statement or appear in person before a voting member of the Board. Other representatives of the victim, victim's guardian and victim's close relative can provide a written statement to voting members of the Board.
- A Parole Panel is required to impose a condition that requires a release serving a sentence for stalking to not: communicate directly or indirectly with the victim; go to or near the residence, place of employment, or business of the victim; or go to or near a school, day-care facility, or similar facility where a dependent child of the victim is in attendance.

A brochure listing these rights may be obtained from the Texas Department of Criminal Justice website at:

http://www.tdcj.texas.gov/documents/Victim_Additional_Rights_English.pdf

I'm afraid to file a Victim Impact Statement or furnish information to the Victim Services Division because I fear the offender who victimized me might find out. What protection do I have?

Pursuant to the Texas Government Code §508.313, "all information obtained and maintained, including a victim protest letter or other correspondence, [or] a victim impact statement...is confidential and privileged..."

How can I be notified of a pending parole review or release? If I did not fill out a Victim Impact Statement at the time of the offense, can I send one to the Victim Services Division?

Notification may be requested by contacting the VSD at the address or telephone numbers listed above. A VIS form may be forwarded to the VSD at any time. Ensure the offender's name and TDCJ-CID or State Identification number (SID) are included. If the offender's TDCJ-CID or SID numbers are unavailable, contact the VSD for assistance.

If I am not the victim of the offense for which the offender is in prison, but have been threatened by the offender, will I be notified if I request notification?

Contact the VSD either via telephone or correspondence and request to be notified. The request must contain the requestor's name, address and telephone number as well as the offender's name and TDCJ-CID or SID number.

What if I move or change my telephone number? Can I request to be notified at an address other than my own?

Notify the VSD as soon as possible of any change of address or telephone number.

What information about an offender is available to the public?

- Offender information (name, TDCJ-CID or SID number and parole status).
- Demographic data (birth date, race, gender, unit of assignment and last known address of offender under supervision).
- Offense information (offense, sentence length, county of offense).
- Release information (release date, county of release, Parole Officer's name, special conditions imposed with the exception of drug related or substance abuse information or other information which is not considered confidential by law).

Can a Parole Panel forbid the offender who victimized me from having any contact with my family and me?

If a Parole Panel releases a defendant on parole or to mandatory supervision, the panel is required to impose a condition that the defendant not intentionally or knowingly communicate directly or indirectly with a victim of the offense or intentionally or knowingly go near a residence, school, place of employment, or business of a victim.

What is restitution?

Restitution is money an offender is ordered to pay to compensate for losses sustained by the victim of an offense. Restitution can be ordered only by the sentencing judge in the case and should not be confused with fines, court costs or attorney fees. Offenders pay restitution to the Parole Division, which in turn forwards the funds to the Comptroller's Releasee Restitution Fund for distribution to the victim. This ensures the victim and offender have no contact with each other. Questions concerning Restitution can be answered by calling 866-464-4137 or by going online to:

http://www.tdcj.texas.gov/documents/Restitution_Brochure.pdf

Can I meet with Board Members and Parole Commissioners before they vote on the offender's case?

Under Government Code Section §508.153, the victim, legal guardian of the victim, or close relative of a deceased victim (as defined by Government Code §508.117) has the right to provide a written statement or to appear in person before a voting member of the Board to present a statement of the person's view about the offense, the offender, and the effect of the offense on the victim when the Board is considering the offender for release on parole or mandatory supervision for the current sentence being served for an offense. Voting members also have the discretion to contact individuals who are not "victims" as defined by Government Code §508.117 and may attempt to contact those individuals by telephone before a final decision is made regarding the offender's possible release. The VSD will record an individual's request to meet with the Board and will forward the request to the Board at the appropriate time.

Can I meet with Victims Services personnel?

A Victim Services representative shall be available to discuss any concerns and answer questions Monday through Friday business days, during normal business hours (8:00 A.M. to 5:00 P.M.). However, it is recommended that an appointment be made with a Victim Services representative. Additionally, the VSD has Regional Victim Services Coordinators who will meet with victims living throughout Texas.

Does the Victim Services Division provide training to Parole Officers on how to assist victims?

The VSD provides Parole Officers with advanced training at the Parole Officer Training Academy. The VSD also provides live trainings and webinars to criminal justice professionals, victim advocates and others who assist victims. The training focuses on victim impact panels, victims' rights, victimology, crisis intervention, and victim resources. In addition, the VSD maintains the Texas Victim Assistance Training Online, a web-based, state-wide, foundational victim assistance training, focused on victim-centered service delivery and professional development.

What is the Victim-Offender Mediation Dialogue program?

Crime victims have the right to request Victim-Offender Mediation Dialogue (VOMD) coordinated by the TDCJ-VSD. The VOMD program provides an opportunity for victims or surviving family members of violent crimes to initiate an in-person meeting in a safe and secure environment with the TDCJ offender who is responsible for their victimization and who is in TDCJ custody or on parole/mandatory supervision. The assigned TDCJ mediator will meet with the victim and offender separately during an extensive preparation phase. The preparation process is crucial in clarifying personal issues, processing emotions, and lessening the chance of re-victimization.

What is the Texas Crime Victim Clearinghouse (TxCVC) Program?

The Texas Crime Victim Clearinghouse (TxCVC) serves as a central source of information and referral services for victims and victim service providers. The TxCVC provides information brochures, publications, and a quarterly e-newsletter (The Victim's Informer) all of which are available online. The TxCVC provides online Victim Assistance Resource Directory that categorizes resources by Texas County. In addition, the TxCVC is mandated to revise the Victim Impact Statement in conjunction with the Board and others from the victim services community after every legislative session.

APPENDIX

Parole and Mandatory Supervision Eligibility Chart

55th LEGISLATURE		
Prior to 01/01/1966		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
All Offenses	Calendar Time = 1/3, including any bonus & blood donations. Maximum of 15 yrs.	Code of Criminal Procedure (CCP), Article 42.12 was amended 01/01/1966 to allow good time and ¼ time for all persons confined in TDCJ.
59th LEGISLATURE		
01/01/1966 – 08/31/1967		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
All Offenses	Calendar Time + Good Time = *1/4, including any bonus & blood donations. Maximum of 15 yrs.	 * Effective 01/01/1966
60th LEGISLATURE		
09/01/1967 – 08/31/1977		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
All Offenses	Calendar Time + Good Time = *1/3, including any bonus & blood donations. Maximum of *20 yrs.	No Mandatory Supervision: offender discharges sentence when calendar time + good time = total sentence.
	*Due to court rulings during that time period, TDCJ calculates eligibility dates on all offenses prior to 08/28/1977 utilizing calendar time + good time = 1/3, regardless of the law in effect when the offense was committed.	Sentence is effectively reduced by the amount of good time earned. * Effective 01/01/1967
65th LEGISLATURE		
09/01/1977 – 08/31/1983		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
– Aggravated Kidnapping--20.04 – Aggravated Robbery--29.03 – *Aggravated Sexual Abuse--21.05 – *Aggravated Rape--21.03 – Any offense with affirmative finding of Deadly Weapon – Capital Murder--19.03	Calendar Time = 1/3 Minimum of 2 yrs. Maximum of 20 yrs.	CCP, Art. 42.12 Sec. 3f * Effective 08/31/1983 Agg Rape and Aggravated Sexual Abuse combined into “Aggravated Sexual Assault” – All offenses eligible for Mandatory Supervision. Effective 08/29/1977. CCP, Article 42.12
69th LEGISLATURE		
09/01/1983 – 08/31/1987		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
– Aggravated Kidnapping--20.04 – Aggravated Robbery--29.03 – *Aggravated Sexual Assault--22.021 – Any offense with affirmative finding of Deadly Weapon – Capital Murder--19.03	Calendar Time = 1/3 Minimum of 2 yrs. Maximum of 20 yrs.	CCP, Art. 42.12 Sec. 3f * Effective 08/31/1983
All other offenses	Calendar Time + Good Time = 1/3, including any credits and bonus. Maximum of 20 yrs.	CCP, Art. 42.12 Sec. 15b (Parole calculations) – CCP, Art. 42.12 Sec. 15c (Mandatory Supervision calculations) – 09/01/1985 Parole laws effectively moved from CCP, 42.12 to CCP, 42.18 – All offenses eligible for Mandatory Supervision.

70th LEGISLATURE		
09/01/1987 - 08/31/1989		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
*3g Offenses: – Aggravated Kidnapping--20.04 – Aggravated Robbery--29.03 – Aggravated Sexual Assault--22.021 – Any offense with Affirmative finding of Deadly Weapon – Capital Murder--19.03	Calendar Time = $\frac{1}{4}$ Minimum of 2 yrs. Maximum of 15 yrs.	CCP, Art. 42.12 CCP, Art. 42.18 *Effective 09/01/1987
All other offenses	Calendar Time + Good Time = $\frac{1}{4}$, including work credits and bonus time. Maximum of 15 yrs.	CCP, Art. 42.18
*The offenses listed below are NOT eligible for Mandatory Supervision: – Aggravated Assault, 2nd or 3rd Degree--22.02 – Aggravated Kidnapping, 1st or 2 nd Degree -20.04 – Aggravated Robbery, 1st Degree--29.03 – Aggravated Sexual Assault, 1st Degree--22.021 – Any offense with Affirmative finding of Deadly Weapon – Arson, 1st Degree--28.02 – Burglary of a Habitation, 1st Degree--30.02(d2)(d3) (armed with explosives or deadly weapon or causes injury while in commission of offense) – Capital Murder--19.03 – Deadly Assault on Law or Corrections Officer; Court Participant; Probation Personnel; Member or Employees of the BPP; Employees of TYC, 1st Degree--22.03 – Injury to a Child or Elderly, 1st Degree--22.04 – Murder, 1st Degree--19.02 – Robbery, 2nd Degree--29.02 – Sexual Assault, 2nd Degree--22.011	Ineligible for Mandatory Supervision.	CCP, Art. 42.18 * Effective 09/01/1987
*CU offenses	Time credit on all sentences, one after another, until eligibility is reached on last sentence.	CCP, Art. 42.08(a) CCP, Art. 42.18 * Effective 09/01/1987

71st and 72nd LEGISLATURE		
09/01/1989 - 08/31/1993		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
Capital Murder (Capital Felony) – *Life Sentence--19.03 1) Murder of a peace officer or fireman on official duty, 2) Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson 3) Murders for remuneration, or promise of remuneration or employs another to commit the murder for remuneration or the promise of remuneration, 4) Murders while escaping or attempting to escape from a penal institution, 5) Murders an employee of a penal institution while incarcerated, 6) Murders more than one person during the same criminal transaction or during different criminal transactions but the murders are committed pursuant to the same scheme, or course of conduct.	Calendar Time = ¼ Minimum of 2 yrs. Maximum of 15 yrs. ** Calendar Time = 35 yrs.	CCP 42.18 * Effective 09/01/1989 ** Effective 09/01/1991
3g Offenses: – Aggravated Kidnapping--20.04 – Aggravated Robbery--29.03 – Aggravated Sexual Assault--22.021 – Any offense with Affirmative finding of Deadly Weapon – Capital Murder--19.03	Calendar Time = ¼ Minimum of 2 yrs. Maximum of 15 yrs.	CCP, Art. 42.12 CCP, Art. 42.18
All other offenses	Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.	CCP, Art. 42.18(8)(b)(4)
CU offenses	Time credit on all sentences, one after another, until eligibility is reached on last sentence.	CCP, Art. 42.08(a) CCP, Art. 42.18

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71st and 72nd LEGISLATURE (continued)		
09/01/1989 - 08/31/1993		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>The offenses listed below are NOT eligible for Mandatory Supervision:</p> <ul style="list-style-type: none"> – Aggravated Assault, 2nd or 3rd Degree – 22.02 – Aggravated Kidnapping, 1st or 2nd Degree – 20.04 – Aggravated Robbery, 1st Degree – 29.03 – Aggravated Sexual Assault, 1st Degree – 22.021 – Any offense with Affirmative finding of Deadly Weapon – Arson, 1st Degree – 28.02 – Burglary of a Habitation, 1st Degree – 30.02 (d2) (d3)(armed with explosives or deadly weapon or causes injury while in commission of offense) – Capital Murder – 19.03 – Deadly Assault on Law or Corrections Officer; Court Participant; Probation Personnel; Member or Employees of the BPP; Employees of TYC, 1st Degree – 22.03 – Injury to a Child or Elderly, 1st Degree – 22.04 – Murder, 1st Degree – 19.02 – Robbery, 2nd Degree – 29.02 – Sexual Assault, 2nd Degree – 22.011 	Ineligible for Mandatory Supervision.	CCP, Art. 42.18

73rd LEGISLATURE		
09/01/1993 - 08/31/1995		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>Capital Murder (Capital Felony) – Life Sentence – 19.03</p> <p>1) Murder of a peace officer or fireman on official duty,</p> <p>2) Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, *obstruction or retaliation,</p> <p>3) Murders for remuneration, or promise of remuneration or employs another to commit the murder for remuneration or the promise of remuneration,</p> <p>4) Murders while escaping or attempting to escape from a penal institution,</p> <p>5) Murders an employee of a penal institution while incarcerated,</p> <p>*6) Murders with intent to establish, maintain, or participate in an alliance, or in the profits of an alliance, of individuals, while incarcerated,</p> <p>*7) A person convicted of and serving a sentence for Murder (19.02) who murders while incarcerated,</p> <p>*8) Murders while serving a sentence of Life or 99 years for Aggravated Kidnapping, Aggravated Sexual Assault, or Aggravated Robbery,</p> <p>9) Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme, or course of conduct,</p> <p>*10) Murders an individual under six years of age.</p>	* Calendar Time = 40 yrs.	<p>CCP, Art. 42.18</p> <p>* Effective 09/01/1993</p>
<p>3g Offenses:</p> <p>– Aggravated Kidnapping - 20.04</p> <p>– Aggravated Robbery - 29.03</p> <p>– Aggravated Sexual Assault - 22.021</p> <p>– Any offense with Affirmative finding of Deadly Weapon</p> <p>– Capital Murder--19.03</p> <p>– *Indecency w/Child (Sexual Contact) 2nd Degree - 21.11(a)(1)</p> <p>– *Murder, 19.02</p> <p>...**A Felony Increased Under Health & Safety Code 481.134 (c), (d), (e), or (f) (Drug-Free Zones), if it is shown that there is a previous conviction for an offense which punishment was increased under any of those subsections.</p>	<p>*Calendar Time = ½ Minimum of 2 yrs.</p> <p>*Maximum of 30 yrs.</p>	<p>CCP, Art. 42.12</p> <p>* Effective 09/01/1993</p> <p>**Effective 05/30/1995</p>

73rd LEGISLATURE (continued)		
09/01/1993 - 08/31/1995		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
All other 1st, 2nd, and 3rd degree felony offenses [****a court may reduce the punishment of a 3rd degree felony by imposing the confinement of a Class A Misdemeanor category offense (may or may not have been prosecuted under the lesser category offense title)].	Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.	CCP, Art. 42.18 (8)(b)(5) ****Effective thru 08/31/1995
*Drug-Free Zones--481.134	*Calendar Time = 5 yrs. or maximum term, whichever is less.	CCP, Art. 42.18 (8)(b)(4) * Effective 09/01/1993
CU offenses	Time credit on all sentences, one after another, until eligibility is reached on last sentence.	CCP, Art. 42.08(a) CCP, Art. 42.18
**State Jail Felonies – a court may enhance the punishment by imposing the confinement of a 2nd or 3rd degree felony. – a court may reduce the punishment by imposing the confinement of a Class B Misdemeanor category offense (may or may not have been prosecuted under the lesser category offense title).	Parole Eligibility is NOT applicable.	PC 12.35 **Confinement is to a state jail for any term of not more than two years or less than 180 days. ** Effective 09/01/1994
The offenses listed below are NOT eligible for Mandatory Supervision: – Aggravated Assault, *1st or 2nd Degree – 22.02 – Aggravated Kidnapping, 1st or 2nd Degree – 20.04 – Aggravated Robbery, 1st Degree – 29.03 – Aggravated Sexual Assault, 1st Degree – 22.021 – Any offense with Affirmative finding of Deadly Weapon – Arson, 1st Degree – 28.02 – Burglary of a Habitation, 1st Degree – 30.02 -- **(d2)(d3) (armed with explosives or deadly weapon or causes injury while in commission of offense) -- ***with intent to commit FELONY other than felony Theft -- (d2) and (d3) are no longer applicable – Capital Murder – 19.03 – Injury to a Child or Elderly, *or Disabled Individual, 1st Degree – 22.04 – Murder, 1st Degree – 19.02 – Robbery, 2nd Degree – 29.02 – Sexual Assault, 2nd Degree – 22.011 * A Felony Increased Under Health & Safety Code 481.134 (Drug-Free Zones).	Ineligible for Mandatory Supervision.	CCP, Art. 42.18 *Effective 09/01/1993 ** Effective until 08/31/1994 ***Effective 09/01/1994

74th LEGISLATURE		
09/01/1995 - 08/31/1997		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>Capital Murder (Capital Felony) – Life Sentence – 19.03</p> <p>1) Murder of a peace officer or fireman on official duty,</p> <p>2) Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction or retaliation,</p> <p>3) Murders for remuneration, or promise of remuneration or employs another to commit the murder for remuneration or the promise of remuneration,</p> <p>4) Murders while escaping or attempting to escape from a penal institution,</p> <p>5) Murders an employee of a penal institution while incarcerated,</p> <p>6) Murders with intent to establish, maintain, or participate in an alliance, or in the profits of an alliance, of individuals, while incarcerated,</p> <p>7) A person convicted of and serving a sentence for Murder (19.02) who murders while incarcerated,</p> <p>8) Murders while serving a sentence of Life or 99 years for Aggravated Kidnapping, Aggravated Sexual Assault, or Aggravated Robbery,</p> <p>9) Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme, or course of conduct,</p> <p>10) Murders an individual under six years of age.</p>	Calendar Time = 40 yrs.	CCP, Art. 42.18

74th LEGISLATURE (continued)		
09/01/1995 - 08/31/1997		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>* Offender is serving a Life Sentence for one of the following listed offenses:</p> <ul style="list-style-type: none"> – Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) – Aggravated Sexual Assault--22.021 – Burglary of Habitation with Intent to Commit any of the following listed sexual offenses:--30.02 <ul style="list-style-type: none"> – Aggravated Sexual Assault--22.021 – Indecency w/Child--21.11 – Sexual Assault--22.011 – Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) 	Calendar Time = 35 yrs.	<p>CCP, Art. 42.18 PC 12.42 (d)(2)</p> <p>*Effective 09/01/1995</p>
<p>AND has a previous conviction for:</p> <p>*TWO felony offenses, at least one of which is of the following offenses:</p> <ul style="list-style-type: none"> – Burglary of Habitation with Intent to Commit any of the following listed sexual offenses:--30.02 <ul style="list-style-type: none"> –Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) –Indecency w/Child--21.11 – Sexual Assault--22.011 – Prohibited Sexual Conduct--25.02 – Aggravated Sexual Assault--22.021 – Possession or Promotion of Child Pornography--43.26 – Sexual Performance by a Child--43.25 		<p>* Effective 09/01/1995</p>

74th LEGISLATURE (continued)		
09/01/1995 - 08/31/1997		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>3g Offenses:</p> <ul style="list-style-type: none"> – Aggravated Kidnapping – 20.04 – Aggravated Robbery – 29.03 – Aggravated Sexual Assault – 22.021 – Any offense with Affirmative finding of Deadly Weapon – Capital Murder--19.03 – Indecency w/Child (Sexual Contact) 2nd Degree – 21.11(a) (1) – Murder -19.02 – *Sexual Assault (of a Child) – 22.011(a) (2) <p>A Felony Increased Under Health & Safety Code 481.134 (c), (d), (e), or (f) (Drug-Free Zones), if it is shown that there is a previous conviction for an offense which punishment was increased under any of those subsections.</p>	<p>Calendar Time = ½ Minimum of 2 yrs. Maximum of 30 yrs.</p>	<p>CCP, Art. 42.12 CCP, Art. 42.18</p> <p>* Effective 09/01/1995</p>
All other 1st, 2nd, and 3rd degree felony offenses	<p>Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.</p>	CCP, Art. 42.18 (8)(b)(5)
Drug-Free Zones 481.134	Calendar Time = 5 yrs. or maximum term, whichever is less.	CCP, Art. 42.18 (8)(b)(4)
CU offenses	Time credit on all sentences, one after another, until eligibility is reached on last sentence.	CCP, Art. 42.08 (a) CCP, Art. 42.18
<p>State Jail Felonies</p> <ul style="list-style-type: none"> – a court may enhance the punishment by imposing the confinement of a 2nd or 3rd degree felony – a court may reduce the punishment by imposing the confinement of a *Class A Misdemeanor category offense (may or may not have been prosecuted under the lesser category offense title.) 	Parole Eligibility is NOT applicable.	<p>PC 12.35</p> <p>Confinement is to a state jail for any term of not more than two years or less than 180 days.</p> <p>* Effective 09/01/1995</p>

74th LEGISLATURE (continued)		
09/01/1995 - 08/31/1997		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>The offenses listed below are NOT eligible for Mandatory Supervision:</p> <ul style="list-style-type: none"> – Aggravated Assault, 1st or 2nd Degree – 22.02 – Aggravated Kidnapping, 1st or 2nd Degree – 20.04 – Aggravated Robbery, 1st Degree – 29.03 – Aggravated Sexual Assault, 1st Degree – 22.021 – Any offense with Affirmative finding of Deadly Weapon – Arson, 1st Degree – 28.02 – Burglary of a Habitation, 1st Degree – 30.02 with intent to commit felony other than Theft – Capital Murder – 19.03 – *** Indecency w/Child 2nd or 3rd Degree – 21.11 – Injury to a Child or Elderly or Disabled Individual, 1st Degree – 22.04 – Murder, 1st or ***2nd Degree – 19.02 – Robbery, 2nd Degree – 29.02 – Sexual Assault, 2nd Degree – 22.011 <p>A Felony Increased Under Health & Safety Code 481.134 (Drug-Free Zones).</p> <p>**Any offense committed on or after 09/01/1996 with a <u>prior</u> conviction to include any above listed offenses.</p>	Ineligible for Mandatory Supervision.	<p>CCP, Art. 42.18</p> <p>** Effective 09/01/1996</p> <p>*** Effective 05/23/1997</p>
** Discretionary Mandatory Supervision		<p>CCP, Art. 42.18 (8)(c-1)</p> <p>** An offender may be denied mandatory supervision by a parole panel for the following reasons:</p> <ul style="list-style-type: none"> – ** Offender will endanger the public <p>AND</p> <ul style="list-style-type: none"> – ** Offender's accrued good conduct time is not an accurate reflection of the offender's potential for rehabilitation. <p>** Effective 09/01/1996</p>

75th LEGISLATURE		
09/01/1997 - 08/31/1999		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>Capital Murder (Capital Felony) – Life Sentence–19.03</p> <p>1) Murder of a peace officer or fireman on official duty,</p> <p>2) Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction or retaliation,</p> <p>3) Murders for remuneration, or promise of remuneration or employs another to commit the murder for remuneration or the promise of remuneration,</p> <p>4) Murders while escaping or attempting to escape from a penal institution,</p> <p>5) Murders an employee of a penal institution while incarcerated,</p> <p>6) Murders with intent to establish, maintain, or participate in an alliance, or in the profits of an alliance, of individuals, while incarcerated,</p> <p>7) A person convicted of and serving a sentence for Murder (19.02) who murders while incarcerated,</p> <p>8) Murders while serving a sentence of Life or 99 years for Aggravated Kidnapping, Aggravated Sexual Assault, or Aggravated Robbery,</p> <p>9) Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme, or course of conduct,</p> <p>10) Murders an individual under six years of age.</p>	Calendar Time = 40 yrs.	<p>*Gov't Code 508.046</p> <p>*CCP, Art. 42.18 repealed effective 9-1-1997. Parole and Mandatory Supervision law now codified in Govt. Code 508.</p>

75th LEGISLATURE (continued)		
09/01/1997 - 08/31/1999		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
Offender is serving a Life Sentence for one of the following listed offenses: – Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) – Aggravated Sexual Assault--22.021 – *Sexual Assault--22.011 – Burglary of Habitation with Intent to Commit any of the following listed sexual offenses:--30.02 – Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) – Aggravated Sexual Assault--22.021 – Indecency w/Child--21.11 – Sexual Assault--22.011	Calendar Time = 35 yrs.	*Gov't Code 508.145(c) PC 12.42(c)(2) *CCP, Art. 42.18 repealed effective 9-1-1997. Parole and Mandatory Supervision law now codified in Govt. Code 508.
AND has a previous conviction for *one of the following offenses: –Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) – Aggravated Sexual Assault--22.021 –Indecency w/Child--21.11 – Possession or Promotion of Child Pornography--43.26 – Prohibited Sexual Conduct--25.02 – Sexual Assault--22.011 – Sexual Performance by a Child--43.25 – Burglary of Habitation with Intent to Commit any of the following listed sexual offenses:--30.02 –Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) – Aggravated Sexual Assault--22.021 – Indecency w/Child--21.11 – Prohibited Sexual Conduct--25.02 – Sexual Assault--22.011 *Offense in another state substantially similar to any of above offenses.		*Effective 09/01/1997

75th LEGISLATURE (continued)		
09/01/1997 - 08/31/1999		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>3g Offenses:</p> <ul style="list-style-type: none"> – Aggravated Kidnapping--20.04 – Aggravated Robbery--29.03 – Aggravated Sexual Assault--22.021 – Any offense with Affirmative finding of Deadly Weapon – Capital Murder--19.03 – Indecency w/Child (Sexual Contact) 2nd Degree--21.11(a) (1) – Murder --19.02 – Sexual Assault (of a Child), 22.011(a)(2) <p>A Felony Increased Under Health & Safety Code 481.134 (c), (d), (e), or (f) (Drug-Free Zones), if it is shown that there is a previous conviction for an offense which punishment was increased under any of those subsections.</p>	<p>Calendar Time = $\frac{1}{2}$</p> <p>Minimum of 2 yrs.</p> <p>Maximum of 30 yrs.</p>	<p>CCP, Art. 42.12</p> <p>*Gov't Code 508.046</p> <p>*CCP, Art. 42.18 repealed effective 9-1-1997. Parole and Mandatory Supervision law now codified in Govt. Code 508.</p>
All other 1st, 2nd, and 3rd degree felony offenses	<p>Calendar Time + Good Time = $\frac{1}{4}$, including work credits and bonus time.</p> <p>Maximum of 15 yrs.</p>	*Gov't code 508.145(f)
Drug-Free Zones 481.134	Calendar Time = 5 yrs. or maximum term, whichever is less.	*Gov't code 508.145(e)
CU Offenses	Time credit on all sentences, one after another, until eligibility is reached on last sentence.	<p>CCP, Art. 42.08(a)</p> <p>*Gov't Code 508.150</p>
<p>State Jail Felonies</p> <ul style="list-style-type: none"> – a court may enhance the punishment by imposing the confinement of a 2nd or 3rd degree felony. – a court may reduce the punishment by imposing the confinement of a Class A Misdemeanor category offense (may or may not have been prosecuted under the lesser category offense title.) 	Parole Eligibility is NOT applicable.	<p>PC 12.35</p> <p>Confinement is to a state jail for any term of not more than two years or less than 180 days.</p>

75th LEGISLATURE (continued)		
09/01/1997 - 08/31/1999		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>The offenses listed below are NOT eligible for Mandatory Supervision:</p> <ul style="list-style-type: none"> – Aggravated Assault, 1st or 2nd Degree--22.02 – Aggravated Kidnapping, 1st or 2nd Degree--20.04 – Aggravated Robbery, 1st Degree--29.03 – Aggravated Sexual Assault, 1st Degree--22.021 – Any offense with Affirmative finding of Deadly Weapon – Arson, 1st Degree--28.02 – Burglary of a Habitation, 1st Degree--30.02 with intent to commit felony other than Theft – Capital Murder--19.03 – Indecency w/Child 2nd or 3rd Degree--21.11 – Injury to a Child or Elderly or Disabled Individual, 1st Degree--22.04 – Murder, 1st or 2nd Degree--19.02 – Robbery, 2nd Degree--29.02 – Sexual Assault, 2nd Degree--22.011 <p>A Felony Increased Under Health & Safety Code 481.134 (Drug-Free Zones).</p> <p>Any offense committed on or after 09/01/1996 with a <u>prior</u> conviction to include any above listed offenses.</p>	Ineligible for Mandatory Supervision.	<p>*Gov't Code 508.149</p> <p>*CCP, Art. 42.18 repealed effective 09/01/97. Parole and mandatory supervision law now codified in Gov't Code 508.</p>
Discretionary Mandatory Supervision		<p>Gov't Code 508.149(b)</p> <p>An offender may be denied mandatory supervision by a parole panel for the following reasons:</p> <ul style="list-style-type: none"> – Offender will endanger the public <p>AND</p> <ul style="list-style-type: none"> – Offender's accrued good conduct time is not an accurate reflection of the offender's potential for rehabilitation.

76th LEGISLATURE		
09/01/1999 - 08/31/2001		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>Capital Murder (Capital Felony) – Life Sentence--19.03</p> <p>1) Murder of a peace officer or fireman on official duty,</p> <p>2) Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction or retaliation,</p> <p>3) Murders for remuneration, or promise of remuneration or employs another to commit the murder for remuneration or the promise of remuneration,</p> <p>4) Murders while escaping or attempting to escape from a penal institution,</p> <p>5) Murders an employee of a penal institution while incarcerated,</p> <p>6) Murders with intent to establish, maintain, or participate in an alliance, or in the profits of an alliance, of individuals, while incarcerated,</p> <p>7) A person convicted of and serving a sentence for Murder (19.02) who murders while incarcerated,</p> <p>8) Murders while serving a sentence of Life or 99 years for Aggravated Kidnapping, Aggravated Sexual Assault, or Aggravated Robbery,</p> <p>9) Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme, or course of conduct,</p> <p>10) Murders an individual under six years of age.</p>	Calendar Time = 40 yrs.	Gov't Code 508.046

76th LEGISLATURE (continued)		
09/01/1999 - 08/31/2001		
	PAROLE ELIGIBILITY	COMMENTS
Offender is serving a Life Sentence for one of the following listed offenses: – Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) – Aggravated Sexual Assault--22.021 – Sexual Assault—22.011 – Burglary of Habitation with Intent to Commit any of the following listed sexual offenses:--30.02 – Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) – Aggravated Sexual Assault--22.021 – Indecency w/Child--21.11 – Sexual Assault--22.011	Calendar Time = 35 yrs.	Gov't Code 508.145(c) PC 12.42 (c)(2)
AND has a previous conviction for one of the following offenses: –Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) – Aggravated Sexual Assault--22.021 –Indecency w/Child--21.11 – Possession or Promotion of Child Pornography--43.26 – Prohibited Sexual Conduct--25.02 – Sexual Assault--22.011 – Sexual Performance by a Child--43.25 – Burglary of Habitation with Intent to Commit any of the following listed sexual offenses:--30.02 –Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) – Aggravated Sexual Assault--22.021 –Indecency w/Child--21.11 – Prohibited Sexual Conduct--25.02 – Sexual Assault—22.011 Offense in another state substantially similar to any of the above offenses.		

76th LEGISLATURE (continued)		
09/01/1999 - 08/31/2001		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>3g Offenses:</p> <ul style="list-style-type: none"> – Aggravated Kidnapping--20.04 – Aggravated Robbery--29.03 – Aggravated Sexual Assault--22.021 – Any offense with Affirmative finding of Deadly Weapon – Capital Murder--19.03 – Indecency w/Child (Sexual Contact) 2nd Degree--21.11(a) (1) – Murder-19.02 – Sexual Assault, *all subsections--22.011 <p>A Felony Increased Under Health & Safety Code 481.134 (c), (d), (e), or (f) (Drug-Free Zones), if it is shown that there is a previous conviction for an offense which punishment was increased under any of those subsections.</p> <p>**A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p>	<p>Calendar Time = ½</p> <p>Minimum of 2 yrs.</p> <p>Maximum of 30 yrs.</p>	<p>CCP, Art. 42.12</p> <p>Gov't Code 508.046</p> <p>* Effective 09/01/1999</p> <p>** Effective 06/14/2001</p>
All other 1st, 2nd, and 3rd degree felony offenses	Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.	Gov't code 508.145(f)
Drug-Free Zones 481.134	Calendar Time = 5 yrs. or maximum term, whichever is less.	Gov't code 508.145(e)
CU offenses	Time credit on all sentences, one after another, until eligibility is reached on last sentence.	CCP, Art. 42.08 (a) Gov't Code 508.150
<p>State Jail Felonies</p> <ul style="list-style-type: none"> – a court may enhance the punishment by imposing the confinement of a 2nd or 3rd degree felony. – a court may reduce the punishment by imposing the confinement of a Class A Misdemeanor category offense (may or may not have been prosecuted under the lesser category offense title.) 	Parole Eligibility is NOT applicable.	<p>PC 12.35</p> <p>Confinement is to a state jail for any term of not more than two years or less than 180 days.</p>

76th LEGISLATURE (continued)		
09/01/1999 - 08/31/2001		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>The offenses listed below are NOT eligible for Mandatory Supervision:</p> <ul style="list-style-type: none"> – Aggravated Assault, 1st or 2nd Degree--22.02 – Aggravated Kidnapping, 1st or 2nd Degree--20.04 – Aggravated Robbery, 1st Degree--29.03 – Aggravated Sexual Assault, 1st Degree--22.021 – Any offense with Affirmative finding of Deadly Weapon – Arson, 1st Degree--28.02 – Burglary of a Habitation, 1st Degree--30.02 with intent to commit felony other than Theft – Capital Murder--19.03 – Indecency w/Child 2nd or 3rd Degree--21.11 – Injury to a Child or Elderly or Disabled Individual, 1st Degree--22.04 – Murder, 1st or 2nd Degree--19.02 – Robbery, 2nd Degree--29.02 – Sexual Assault, 2nd Degree--22.011 <p>A Felony Increased Under Health & Safety Code 481.134 (Drug-Free Zones).</p> <p>**A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p> <p>Any offense committed on or after 09/01/1996 with a <u>prior</u> conviction to include any above listed offenses.</p>	Ineligible for Mandatory Supervision.	<p>Gov't Code 508.149</p> <p>** Effective 06/14/2001</p>
Discretionary Mandatory Supervision		<p>Gov't Code 508.149(b)</p> <p>An offender may be denied mandatory supervision by a parole panel for the following reasons:</p> <ul style="list-style-type: none"> – Offender will endanger the public <p>AND</p> <ul style="list-style-type: none"> – Offender's accrued good conduct time is not an accurate reflection of the offender's potential for rehabilitation

77th LEGISLATURE		
09/01/2001 - 08/31/2003		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>Capital Murder (Capital Felony) – Life Sentence--19.03</p> <p>1) Murder of a peace officer or fireman on official duty,</p> <p>2) Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction or retaliation,</p> <p>3) Murders for remuneration, or promise of remuneration or employs another to commit the murder for remuneration or the promise of remuneration,</p> <p>4) Murders while escaping or attempting to escape from a penal institution,</p> <p>5) Murders an employee of a penal institution while incarcerated,</p> <p>6) Murders with intent to establish, maintain, or participate in an alliance, or in the profits of an alliance, of individuals, while incarcerated,</p> <p>7) A person convicted of and serving a sentence for Murder (19.02) who murders while incarcerated,</p> <p>8) Murders while serving a sentence of Life or 99 years for Aggravated Kidnapping, Aggravated Sexual Assault, or Aggravated Robbery,</p> <p>9) Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme, or course of conduct,</p> <p>10) Murders an individual under six years of age.</p>	Calendar Time = 40 yrs.	Gov't Code 508.046

77th LEGISLATURE (continued)		
09/01/2001 - 08/31/2003		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
Offender is serving a Life Sentence for one of the following listed offenses: – Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) – Aggravated Sexual Assault--22.021 – Sexual Assault--22.011 – Burglary of Habitation with Intent to Commit any of the following listed sexual offenses:--30.02 – Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) – Aggravated Sexual Assault--22.021 – Indecency w/Child--21.11 – Sexual Assault--22.011	Calendar Time = 35 yrs.	Gov't Code 508.145(c) PC 12.42 (c)(2)
AND has a previous conviction for one of the following offenses: –Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) – Aggravated Sexual Assault--22.021 –Indecency w/Child--21.11 – Possession or Promotion of Child Pornography--43.26 – Prohibited Sexual Conduct--25.02 – Sexual Assault--22.011 – Sexual Performance by a Child--43.25 – Burglary of Habitation with Intent to Commit any of the following listed sexual offenses:--30.02 –Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) – Aggravated Sexual Assault--22.021 –Indecency w/Child--21.11 – Prohibited Sexual Conduct--25.02 – Sexual Assault--22.011 Offense in another state substantially similar to any of the above offenses.		

77th LEGISLATURE (continued)		
09/01/2001 - 08/31/2003		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>3g Offenses:</p> <ul style="list-style-type: none"> – Aggravated Kidnapping--20.04 – Aggravated Robbery--29.03 – Aggravated Sexual Assault--22.021 – Any offense with Affirmative finding of Deadly Weapon – Capital Murder--19.03 – Indecency w/Child (Sexual Contact) 2nd Degree--21.11(a) (1) – Murder --19.02 – Sexual Assault, all subsections--22.011 <p>A Felony Increased Under Health & Safety Code 481.134 (c), (d), (e), or (f) (Drug-Free Zones), if it is shown that there is a previous conviction for an offense which punishment was increased under any of those subsections.</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p>	<p>Calendar Time = ½</p> <p>Minimum of 2 yrs.</p> <p>Maximum of 30 yrs.</p>	<p>CCP, Art. 42.12</p> <p>Gov't Code 508.046</p>
All other 1st, 2nd, and 3rd degree felony offenses	<p>Calendar Time + Good Time = 1/4, including work credits and bonus time.</p> <p>Maximum of 15 yrs.</p>	Gov't code 508.145(f)
Drug-Free Zones 481.134	<p>Calendar Time = 5 yrs. or maximum term, whichever is less.</p>	Gov't code 508.145(e)
CU offenses	<p>Time credit on all sentences, one after another, until eligibility is reached on last sentence.</p>	<p>CCP, Art. 42.08 (a)</p> <p>Gov't Code 508.150</p>
<p>State Jail Felonies</p> <ul style="list-style-type: none"> – a court may enhance the punishment by imposing the confinement of a 2nd or 3rd degree felony. – a court may reduce the punishment by imposing the confinement of a Class A Misdemeanor category offense (may or may not have been prosecuted under the lesser category offense title.) 	<p>Parole Eligibility is NOT applicable.</p>	<p>PC 12.35</p> <p>Confinement is to a state jail for any term of not more than two years or less than 180 days.</p>

77th LEGISLATURE (continued)		
09/01/2001 - 08/31/2003		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>The offenses listed below are NOT eligible for Mandatory Supervision:</p> <ul style="list-style-type: none"> – Aggravated Assault, 1st or 2nd Degree--22.02 – Aggravated Kidnapping, 1st or 2nd Degree--20.04 – Aggravated Robbery, 1st Degree--29.03 – Aggravated Sexual Assault, 1st Degree--22.021 – Any offense with Affirmative finding of Deadly Weapon – Arson, 1st Degree--28.02 – Burglary of a Habitation, 1st Degree--30.02 with intent to commit felony other than theft – Capital Murder--19.03 – Indecency w/Child 2nd or 3rd Degree--21.11 – Injury to a Child or Elderly or Disabled Individual, 1st Degree--22.04 – Murder, 1st or 2nd Degree--19.02 – Robbery, 2nd Degree--29.02 – Sexual Assault, 2nd Degree--22.011 <p>A Felony Increased Under Health & Safety Code 481.134 (Drug-Free Zones).</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p> <p>Any offense committed on or after 09/01/1996 with a <u>prior</u> conviction to include any above listed offenses.</p>	Ineligible for Mandatory Supervision.	Gov't Code 508.149
Discretionary Mandatory Supervision		<p>Gov't Code 508.149(b)</p> <p>An offender may be denied mandatory supervision by a parole panel for the following reasons:</p> <ul style="list-style-type: none"> – Offender will endanger the public <p>AND</p> <ul style="list-style-type: none"> – Offender's accrued good conduct time is not an accurate reflection of the offender's potential for rehabilitation

78th LEGISLATURE		
09/01/2003 - 08/31/2005		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>Capital Murder (Capital Felony) – Life Sentence--19.03</p> <p>1) Murder of a peace officer or fireman on official duty,</p> <p>2) Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction or retaliation, or *terroristic threat--22.07(a)(1,3,4,5, or 6),</p> <p>3) Murders for remuneration, or promise of remuneration or employs another to commit the murder for remuneration or the promise of remuneration,</p> <p>4) Murders while escaping or attempting to escape from a penal institution,</p> <p>5) Murders an employee of a penal institution while incarcerated,</p> <p>6) Murders with intent to establish, maintain, or participate in an alliance, or in the profits of an alliance, of individuals, while incarcerated,</p> <p>7) A person convicted of and serving a sentence for Murder (19.02) who murders while incarcerated,</p> <p>8) Murders while serving a sentence of Life or 99 years for Aggravated Kidnapping, Aggravated Sexual Assault, or Aggravated Robbery,</p> <p>9) Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme, or course of conduct,</p> <p>10) Murders an individual under six years of age.</p>	Calendar Time = 40 yrs.	<p>Gov't Code 508.046</p> <p>*Effective 09/01/2003</p>

78th LEGISLATURE (continued)		
09/01/2003 - 08/31/2005		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
Offender is serving a Life Sentence for one of the following listed offenses: – Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) – Aggravated Sexual Assault--22.021 – Sexual Assault--22.011 – Burglary of Habitation with Intent to Commit any of the following listed sexual offenses:--30.02 – Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) – Aggravated Sexual Assault--22.021 – Indecency w/Child--21.11 – Sexual Assault--22.011	Calendar Time = 35 yrs.	Gov't Code 508.145(c) PC 12.42(c)(2)
AND has a previous conviction for one of the following offenses: –Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) – Aggravated Sexual Assault--22.021 –Indecency w/Child--21.11 – *Obscenity (images of child under the age of 18)--43.23(h) – Possession or Promotion of Child Pornography--43.26 – Prohibited Sexual Conduct--25.02 – Sexual Assault--22.011 – Sexual Performance by a Child--43.25 – Burglary of Habitation with Intent to Commit any of the following listed sexual offenses:--30.02 –Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) – Aggravated Sexual Assault--22.021 –Indecency w/Child--21.11 – Prohibited Sexual Conduct--25.02 – Sexual Assault--22.011 Offense in another state substantially similar to any of the above offenses.		* Effective 09/01/2003

78th LEGISLATURE (continued)		
09/01/2003 - 08/31/2005		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>3g Offenses:</p> <ul style="list-style-type: none"> – Aggravated Kidnapping--20.04 – Aggravated Robbery--29.03 – Aggravated Sexual Assault--22.021 – Any offense with Affirmative finding of Deadly Weapon – Capital Murder--19.03 – Indecency w/Child (Sexual Contact) 2nd Degree--21.11(a) (1) – Murder --19.02 – Sexual Assault, all subsections--22.011 <p>A Felony Increased Under Health & Safety Code 481.134 (c), (d), (e), or (f) (Drug-Free Zones), if it is shown that there is a previous conviction for an offense which punishment was increased under any of those subsections.</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p>	<p>Calendar Time = ½</p> <p>Minimum of 2 yrs.</p> <p>Maximum of 30 yrs.</p>	<p>CCP, Art. 42.12</p> <p>Gov't Code 508.046</p>
All other 1st, 2nd, and 3rd degree felony offenses	<p>Calendar Time + Good Time = 1/4, including work credits and bonus time.</p> <p>Maximum of 15 yrs.</p>	Gov't code 508.145(f)
Drug-Free Zones 481.134	Calendar Time = 5 yrs. or maximum term, whichever is less.	Gov't code 508.145(e)
CU offenses	Time credit on all sentences, one after another, until eligibility is reached on last sentence.	CCP, Art. 42.08 (a) Gov't Code 508.150
<p>State Jail Felonies</p> <ul style="list-style-type: none"> – a court may enhance the punishment by imposing the confinement of a 2nd or 3rd degree felony. – a court may reduce the punishment by imposing the confinement of a Class A Misdemeanor category offense (may or may not have been prosecuted under the lesser category offense title.) 	Parole Eligibility is NOT applicable.	<p>PC 12.35</p> <p>Confinement is to a state jail for any term of not more than two years or less than 180 days.</p>

78th LEGISLATURE (continued)		
09/01/2003 - 08/31/2005		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>The offenses listed below are NOT eligible for Mandatory Supervision:</p> <ul style="list-style-type: none"> – Aggravated Assault, 1st or 2nd Degree--22.02 – Aggravated Kidnapping, 1st or 2nd Degree--20.04 – Aggravated Robbery, 1st Degree--29.03 – Aggravated Sexual Assault, 1st Degree--22.021 – Any offense with Affirmative finding of Deadly Weapon – Arson, 1st Degree--28.02 – Burglary of a Habitation, 1st Degree--30.02 with intent to commit felony other than theft – Capital Murder--19.03 – Indecency w/Child 2nd or 3rd Degree--21.11 – Injury to a Child or Elderly or Disabled Individual, 1st Degree--22.04 – Murder, 1st or 2nd Degree--19.02 – Robbery, 2nd Degree--29.02 – Sexual Assault, 2nd Degree--22.011 <p>A Felony Increased Under Health & Safety Code 481.134 (Drug-Free Zones).</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p> <p>Any offense committed on or after 09/01/1996 with a <u>prior</u> conviction to include any above listed offenses.</p>	Ineligible for Mandatory Supervision.	Gov't Code 508.149
Discretionary Mandatory Supervision		<p>Gov't Code 508.149(b)</p> <p>An offender may be denied mandatory supervision by a parole panel for the following reasons:</p> <ul style="list-style-type: none"> – Offender will endanger the public <p>AND</p> <ul style="list-style-type: none"> – Offender's accrued good conduct time is not an accurate reflection of the offender's potential for rehabilitation

79th LEGISLATURE		
09/01/2005 - 08/31/2007		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>Capital Murder (Capital Felony) – *Death or Life without Parole--19.03 1) Murder of a peace officer or fireman on official duty, 2) Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction or retaliation, or terroristic threat--22.07(a)(1,3,4,5, or 6), 3) Murders for remuneration, or promise of remuneration or employs another to commit the murder for remuneration or the promise of remuneration, 4) Murders while escaping or attempting to escape from a penal institution, 5) Murders an employee of a penal institution while incarcerated, 6) Murders with intent to establish, maintain, or participate in an alliance, or in the profits of an alliance, of individuals, while incarcerated, 7) A person convicted of and serving a sentence for Murder (19.02) who murders while incarcerated, 8) Murders while serving a sentence of Life or 99 years for Aggravated Kidnapping, Aggravated Sexual Assault, or Aggravated Robbery, 9) Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme, or course of conduct, 10) Murders an individual under six years of age, 11) *Murders in retaliation for/on account of service/status as a judge or justice of courts.</p>	<p>*Not eligible for Parole or MS release (40 yrs. flat repealed effective 09/01/2005)</p> <p>*Punishable by Death or Life without Parole only.</p> <p>*Prohibits anyone younger than 18yrs. of age to be punished by Death.</p>	<p>Govt. Code 508.145</p> <p>* Effective 09/01/2005</p>

79th LEGISLATURE (continued)		
09/01/2005 - 08/31/2007		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
Offender is serving a Life Sentence for one of the following listed offenses: – Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) – Aggravated Sexual Assault--22.021 – Sexual Assault--22.011 – Burglary of Habitation with Intent to Commit any of the following listed sexual offenses:--30.02 – Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) – Aggravated Sexual Assault--22.021 – Indecency w/Child--21.11 – Sexual Assault--22.011	Calendar Time = 35 yrs.	Gov't Code 508.145(c) PC 12.42(c)(2)
AND has a previous conviction for one of the following offenses: –Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) – Aggravated Sexual Assault--22.021 –Indecency w/Child--21.11 – Obscenity (images of child under the age of 18)--43.23(h) – Possession or Promotion of Child Pornography--43.26 – Prohibited Sexual Conduct--25.02 – Sexual Assault--22.011 – Sexual Performance by a Child--43.25 – Burglary of Habitation with Intent to Commit any of the following listed sexual offenses:--30.02 –Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) – Aggravated Sexual Assault--22.021 –Indecency w/Child--21.11 – Prohibited Sexual Conduct--25.02 – Sexual Assault--22.011 Offense in another state substantially similar to any of the above offenses.		

79th LEGISLATURE (continued)		
09/01/2005 - 08/31/2007		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>3g Offenses:</p> <ul style="list-style-type: none"> – Aggravated Kidnapping--20.04 – Aggravated Robbery--29.03 – Aggravated Sexual Assault--22.021 – Any offense with Affirmative finding of Deadly Weapon – Capital Murder--19.03 – Indecency w/Child (Sexual Contact) 2nd Degree--21.11(a) (1) – Murder --19.02 – Sexual Assault, all subsections--22.011 <p>A Felony Increased Under Health & Safety Code 481.134 (c), (d), (e), or (f) (Drug-Free Zones), if it is shown that there is a previous conviction for an offense which punishment was increased under any of those subsections.</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p>	<p>Calendar Time = $\frac{1}{2}$</p> <p>Minimum of 2 yrs.</p> <p>Maximum of 30 yrs.</p>	<p>CCP, Art. 42.12</p> <p>Gov't Code 508.046</p>
All other 1st, 2nd, and 3rd degree felony offenses	<p>Calendar Time + Good Time = $\frac{1}{4}$, including work credits and bonus time.</p> <p>Maximum of 15 yrs.</p>	Gov't code 508.145(f)
Drug-Free Zones 481.134	<p>Calendar Time = 5 yrs. or maximum term, whichever is less.</p>	Gov't code 508.145(e)
CU offenses	<p>Time credit on all sentences, one after another, until eligibility is reached on last sentence.</p>	<p>CCP, Art. 42.08 (a)</p> <p>Gov't Code 508.150</p>
<p>State Jail Felonies</p> <ul style="list-style-type: none"> – a court may enhance the punishment by imposing the confinement of a 2nd or 3rd degree felony. – a court may reduce the punishment by imposing the confinement of a Class A Misdemeanor category offense (may or may not have been prosecuted under the lesser category offense title.) 	<p>Parole Eligibility is NOT applicable.</p>	<p>PC 12.35</p> <p>Confinement is to a state jail for any term of not more than two years or less than 180 days.</p>

79th LEGISLATURE (continued)		
09/01/2005 - 08/31/2007		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>The offenses listed below are NOT eligible for Mandatory Supervision:</p> <ul style="list-style-type: none"> – Aggravated Assault, 1st or 2nd Degree--22.02 – Aggravated Kidnapping, 1st or 2nd Degree--20.04 – Aggravated Robbery, 1st Degree--29.03 – Aggravated Sexual Assault, 1st Degree--22.021 – Any offense with Affirmative finding of Deadly Weapon – Arson, 1st Degree--28.02 – Burglary of a Habitation, 1st Degree--30.02 with intent to commit felony other than theft – Capital Murder--19.03 – Indecency w/Child 2nd or 3rd Degree--21.11 – Injury to a Child or Elderly or Disabled Individual, 1st Degree--22.04 – Murder, 1st or 2nd Degree--19.02 – Robbery, 2nd Degree--29.02 – Sexual Assault, 2nd Degree--22.011 <p>A Felony Increased Under Health & Safety Code 481.134 (Drug-Free Zones).</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p> <p>Any offense committed on or after 09/01/1996 with a <u>prior</u> conviction to include any above listed offenses.</p>	Ineligible for Mandatory Supervision.	Gov't Code 508.149
Discretionary Mandatory Supervision		<p>Gov't Code 508.149(b)</p> <p>An offender may be denied mandatory supervision by a parole panel for the following reasons:</p> <ul style="list-style-type: none"> – Offender will endanger the public <p>AND</p> <ul style="list-style-type: none"> – Offender's accrued good conduct time is not an accurate reflection of the offender's potential for rehabilitation.

80th LEGISLATURE		
09/01/2007 – 08/31/2009		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>Capital Murder (Capital Felony) –Death or Life without Parole--19.03</p> <p>1) Murder of a peace officer or fireman on official duty,</p> <p>2) Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction or retaliation, or terroristic threat--22.07(a)(1,3,4,5, or 6),</p> <p>3) Murders for remuneration, or promise of remuneration or employs another to commit the murder for remuneration or the promise of remuneration,</p> <p>4) Murders while escaping or attempting to escape from a penal institution,</p> <p>5) Murders an employee of a penal institution while incarcerated,</p> <p>6) Murders with intent to establish, maintain, or participate in an alliance, or in the profits of an alliance, of individuals, while incarcerated,</p> <p>7) A person convicted of and serving a sentence for Murder (19.02) who murders while incarcerated,</p> <p>8) Murders while serving a sentence of Life or 99 years for Aggravated Kidnapping, Aggravated Sexual Assault, or Aggravated Robbery,</p> <p>9) Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme, or course of conduct,</p> <p>10) Murders an individual under six years of age,</p> <p>11) Murders in retaliation for/on account of service/status as a judge or justice of courts.</p>	<p>Not eligible for Parole or MS release</p> <p>Punishable by Death or Life without Parole only.</p> <p>Prohibits anyone younger than 18yrs. of age to be punished by Death.</p>	<p>Gov't Code 508.145</p>

80th LEGISLATURE (continued)		
09/01/2007 – 08/31/2009		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>Offender is serving a Life Sentence for one of the following listed offenses:</p> <ul style="list-style-type: none"> –Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4) –*Aggravated Sexual Assault – 22.021 – Indecency w/Child – 21.11(a)(1) – Sexual Assault – 22.011 – Burglary of Habitation with Intent to Commit any of the following listed sexual offenses: - 30.02 <ul style="list-style-type: none"> –Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4) – Aggravated Sexual Assault – 22.021 – Indecency w/Child – 21.11 – Sexual Assault – 22.011 	<p>Calendar Time = 35 yrs.</p> <p>*22.021(f) does not apply</p>	<p>Gov't Code 508.145(c) PC 12.42(c)(2)</p> <p>*Effective 9-1-2007</p>
<p>AND has a previous conviction one of the following offenses:</p> <ul style="list-style-type: none"> –Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) – Aggravated Sexual Assault--22.021 – Indecency w/Child--21.11 – Obscenity (images of child under the age of 18)--43.23(h) – Possession or Promotion of Child Pornography--43.26 – Prohibited Sexual Conduct--25.02 – Sexual Assault--22.011 – Sexual Performance by a Child--43.25 – Burglary of Habitation with Intent to Commit any of the following listed sexual offenses:--30.02 <ul style="list-style-type: none"> –Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) – Aggravated Sexual Assault— 22.021 – Indecency w/Child—21.11 – Sexual Assault—22.011 – Prohibited Sexual Conduct—25.02 <p>Offense in another state similar to any above offenses.</p>		

80th LEGISLATURE (continued)		
09/01/2007 – 08/31/2009		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>3g Offenses:</p> <ul style="list-style-type: none"> – Aggravated Kidnapping--20.04 – Aggravated Robbery--29.03 – *Aggravated Sexual Assault--22.021 – Any offense with Affirmative finding of Deadly Weapon – Capital Murder--19.03 – Indecency w/Child (Sexual Contact) 2nd Degree--21.11(a) (1) – *Injury to a Child, Elderly, or Disabled Individual, 1st Degree--22.04 (a)(1) (applies only to Child victim 14 or younger) – Murder --19.02 – Sexual Assault--22.011 – *Sexual Performance by a Child--43.25, all subsections <p>A Felony Increased Under Health & Safety Code 481.134 (c), (d), (e), or (f) (Drug-Free Zones), if it is shown that there is a previous conviction for an offense which punishment was increased under any of those subsections.</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p>	<p>Calendar Time = ½</p> <p>Minimum of 2 yrs.</p> <p>Maximum of 30 yrs.</p> <p>*22.021(f) does not apply</p>	<p>CCP, Art. 42.12</p> <p>Gov't Code 508.046</p> <p>*Effective 09/01/2007</p>
All other 1st, 2nd, and 3rd degree felony offenses	Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.	Gov't code 508.145(f)
Drug-Free Zones 481.134	Calendar Time = 5 yrs. or maximum term, whichever is less.	Gov't code 508.145(e)
CU offenses	Time credit on all sentences, one after another, until eligibility is reached on last sentence.	CCP, Art. 42.08 (a) Gov't Code 508.150
<p>State Jail Felonies</p> <ul style="list-style-type: none"> – a court may enhance the punishment by imposing the confinement of a 2nd or 3rd degree felony. – a court may reduce the punishment by imposing the confinement of a Class A Misdemeanor category offense (may or may not have been prosecuted under the lesser category offense title.) 	Parole Eligibility is NOT applicable.	<p>PC 12.35</p> <p>Confinement is to a state jail for any term of not more than two years or less than 180 days.</p>

80th LEGISLATURE (continued)		
09/01/2007 – 08/31/2009		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>The offenses listed below are NOT eligible for Mandatory Supervision:</p> <ul style="list-style-type: none"> – Aggravated Assault, 1st or 2nd Degree--22.02 – Aggravated Kidnapping, 1st or 2nd Degree--20.04 – Aggravated Robbery, 1st Degree--29.03 – Aggravated Sexual Assault, 1st Degree--22.021 – Any offense with Affirmative finding of Deadly Weapon – Arson, 1st Degree--28.02 – Burglary of a Habitation, 1st Degree--30.02 with intent to commit felony other than theft – Capital Murder--19.03 – Indecency w/Child--21.11 – Injury to a Child or Elderly or Disabled Individual, 1st Degree--22.04 – Murder, 1st or 2nd Degree--19.02 – Robbery, 2nd Degree--29.02 – Sexual Assault, --22.011 – *Sexual Performance by a Child--43.25 <p>A Felony Increased Under Health & Safety Code 481.134 (Drug-Free Zones).</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p> <p>Any offense committed on or after 09/01/1996 with a <u>prior</u> conviction to include any above listed offenses.</p>	Ineligible for Mandatory Supervision.	<p>Gov't Code 508.149</p> <p>*Effective 09/01/2007</p>
Discretionary Mandatory Supervision.		<p>Gov't Code 508.149(b)</p> <p>An offender may be denied mandatory supervision by a parole panel for the following reasons:</p> <ul style="list-style-type: none"> – Offender will endanger the public <p>AND</p> <ul style="list-style-type: none"> – Offender's accrued good conduct time is not an accurate reflection of the offender's potential for rehabilitation.
<p>* The offenses listed below are NOT eligible for Parole or Mandatory Supervision:</p> <ul style="list-style-type: none"> – Aggravated Sexual Assault - 22.021(f) – Continuous Sexual Abuse of a Young Child or Children - 21.02 	Ineligible for Parole. Ineligible for Mandatory Supervision.	<p>Gov't Code 508.145(a)</p> <p>Gov't Code 508.149</p> <p>* Effective 09/01/2007</p>

81st LEGISLATURE		
09/01/2009 – 08/31/2011		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>Capital Murder (Capital Felony) –Death or Life without Parole--19.03</p> <p>1) Murder of a peace officer or fireman on official duty,</p> <p>2) Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction or retaliation, or terroristic threat--22.07(a)(1,3,4,5, or 6),</p> <p>3) Murders for remuneration, or promise of remuneration or employs another to commit the murder for remuneration or the promise of remuneration,</p> <p>4) Murders while escaping or attempting to escape from a penal institution,</p> <p>5) Murders an employee of a penal institution while incarcerated,</p> <p>6) Murders with intent to establish, maintain, or participate in an alliance, or in the profits of an alliance, of individuals, while incarcerated,</p> <p>7) A person convicted of and serving a sentence for Murder (19.02) who murders while incarcerated,</p> <p>8) Murders while serving a sentence of Life or 99 years for Aggravated Kidnapping, Aggravated Sexual Assault, or Aggravated Robbery,</p> <p>9) Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme, or course of conduct,</p> <p>10) Murders an individual under six years of age,</p> <p>11) Murders in retaliation for/on account of service/status as a judge or justice of courts.</p>	<p>**Not eligible for Parole or Mandatory Supervision release.</p> <p>**Punishable by Death or Life without Parole only.</p> <p>*Calendar Time = 40 years served without consideration of good time. (Life sentence).</p> <p>Prohibits anyone younger than 18yrs. of age to be punished by Death.</p>	<p>Gov't Code 508.145</p> <p>*Effective 09/01/2009</p> <p>**unless transferred to the court under Section 54.02, Family Code. (Life sentence)</p>

81st LEGISLATURE (continued)		
09/01/2009 – 08/31/2011		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>Offender is serving a Life Sentence for one of the following listed offenses:</p> <ul style="list-style-type: none"> –Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4) –* Aggravated Sexual Assault – 22.021 – Indecency w/Child – 21.11(a)(1) – Sexual Assault – 22.011 – Burglary of Habitation with Intent to Commit any of the following listed sexual offenses: - 30.02 <ul style="list-style-type: none"> –Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4) – Aggravated Sexual Assault – 22.021 – Indecency w/Child – 21.11 – Sexual Assault – 22.011 	<p>Calendar Time = 35 yrs.</p> <p>*22.021(f) does not apply</p>	<p>Gov't Code 508.145(c) PC 12.42(c)(2)</p>
<p>AND has a previous conviction for one of the following offenses:</p> <ul style="list-style-type: none"> –Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) – Aggravated Sexual Assault--22.021 – Indecency w/Child--21.11 – Obscenity (images of child under the age of 18)--43.23(h) – Possession or Promotion of Child Pornography--43.26 – Prohibited Sexual Conduct--25.02 – Sexual Assault--22.011 – Sexual Performance by a Child--43.25 – Burglary of Habitation with Intent to Commit any of the following listed sexual offenses:--30.02 <ul style="list-style-type: none"> –Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) – Aggravated Sexual Assault— 22.021 – Indecency w/Child--21.11 – Sexual Assault--22.011 – Prohibited Sexual Conduct—25.02 <p>Offense in another state substantially similar to any of the above offenses.</p>		

81st LEGISLATURE (continued)		
09/01/2009 – 08/31/2011		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>3g Offenses:</p> <ul style="list-style-type: none"> – Aggravated Kidnapping--20.04 – Aggravated Robbery – 29.03 – * Aggravated Sexual Assault – 22.021 – Any offense with Affirmative finding of Deadly Weapon – **Criminal Solicitation, 1st Degree—15.03 – Capital Murder--19.03 – Indecency w/Child (Sexual Contact)2nd Degree – 21.11(a)(1) – Injury to a Child or Elderly or Disabled Individual, 1st Degree -22.04 (a)(1) (applies only to Child victim 14 or younger) – Murder, – 19.02 -- Sexual Assault--22.011 – Sexual Performance by a Child -43.25, all subsections <p>A Felony Increased Under Health & Safety Code 481.134 (c), (d), (e), or (f) (Drug-Free Zones), if it is shown that there is a previous conviction for an offense which punishment was increased under any of those subsections.</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p>	<p>Calendar Time = ½ Minimum of 2 yrs. Maximum of 30 years. *22.021(f) does not apply</p> <p>**For every 12 months that elapse between date of arrest warrant and actual arrest date, initial Parole eligibility date is delayed by 3 years for the offenses of:</p> <ul style="list-style-type: none"> -- Murder--19.02 -- Sexual Assault--22.011 -- Aggravated Sexual Assault--22.021 	<p>CCP, Art. 42.12 Gov't Code 508.046</p> <p>**Effective 09/01/2009</p>
All other 1st, 2nd, and 3rd degree felony offenses	Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.	Gov't code 508.145(f)
Drug-Free Zones 486.184	Calendar Time = 5 yrs. or maximum term, whichever is less.	Gov't code 508.145(e)
CU offenses	Time credit on all sentences, one after another, until eligibility is reached on last sentence.	CCP, Art. 42.08 (a) Gov't Code 508.150
<p>State Jail Felonies</p> <ul style="list-style-type: none"> – a court may enhance the punishment by imposing the confinement of a 2nd or 3rd degree felony. – a court may reduce the punishment by imposing the confinement of a Class A Misdemeanor category offense (may or may not have been prosecuted under the lesser category offense title.) 	Parole Eligibility is NOT applicable.	<p>PC 12.35</p> <p>Confinement is to a state jail for any term of not more than two years or less than 180 days.</p>

81st LEGISLATURE (continued)		
09/01/2009 – 08/31/2011		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>The offenses listed below are NOT eligible for Mandatory Supervision:</p> <ul style="list-style-type: none"> – Aggravated Assault, 1st or 2nd Degree – 22.02 – Aggravated Kidnapping, 1st or 2nd Degree – 20.04 – Aggravated Robbery, 1st Degree--29.03 – Aggravated Sexual Assault, 1st Degree--22.021 – Any offense with Affirmative finding of Deadly Weapon – Arson, 1st Degree--28.02 – Burglary of a Habitation, 1st Degree--30.02 with intent to commit felony other than theft – Capital Murder--19.03 – *Criminal Solicitation, 1st Degree--15.03 – Indecency w/Child--21.11 – Injury to a Child or Elderly or Disabled Individual, 1st Degree--22.04 – Murder, 1st or 2nd Degree--19.02 – Robbery, 2nd Degree--29.02 – Sexual Assault--22.011 – Sexual Performance by a Child--43.25 <p>A Felony Increased Under Health & Safety Code 481.134 (Drug-Free Zones).</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p> <p>Any offense committed on or after 09/01/1996 with a prior conviction to include any above listed offenses.</p>	Ineligible for Mandatory Supervision.	<p>Gov't Code 508.149</p> <p>*Effective 09/01/2009</p>
Discretionary Mandatory Supervision		<p>Gov't Code 508.149(b)</p> <p>An offender may be denied mandatory supervision by a parole panel for the following reasons:</p> <ul style="list-style-type: none"> – Offender will endanger the public <p>AND</p> <ul style="list-style-type: none"> – Offender's accrued good conduct time is not an accurate reflection of the offender's potential for rehabilitation.
<p>The offenses listed below are NOT eligible for Parole or Mandatory Supervision:</p> <ul style="list-style-type: none"> – Aggravated Sexual Assault - 22.021(f) – Continuous Sexual Abuse of a Young Child or Children - 21.02 	Ineligible for Parole. Ineligible for Mandatory Supervision.	<p>Gov't Code 508.145(a)</p> <p>Gov't Code 508.149</p>

82nd LEGISLATURE		
09/01/2011 – 08/31/2013		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>Capital Murder (Capital Felony) –Death or Life without Parole--19.03</p> <p>1) Murder of a peace officer or fireman on official duty,</p> <p>2) Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction or retaliation, or terroristic threat--22.07(a)(1,3,4,5, or 6),</p> <p>3) Murders for remuneration, or promise of remuneration or employs another to commit the murder for remuneration or the promise of remuneration,</p> <p>4) Murders while escaping or attempting to escape from a penal institution,</p> <p>5) Murders an employee of a penal institution while incarcerated,</p> <p>6) Murders with intent to establish, maintain, or participate in an alliance, or in the profits of an alliance, of individuals, while incarcerated,</p> <p>7) A person convicted of and serving a sentence for Murder (19.02) who murders while incarcerated,</p> <p>8) Murders while serving a sentence of Life or 99 years for Aggravated Kidnapping, Aggravated Sexual Assault, or Aggravated Robbery,</p> <p>9) Murders more than one person during the same criminal transaction or during different criminal transactions but the murders are committed pursuant to the same scheme, or course of conduct,</p> <p>10) Murders an individual under *ten years of age,</p> <p>11) Murders in retaliation for/on account of service/status as a judge or justice of courts.</p>	<p>**Not eligible for Parole or Mandatory Supervision release.</p> <p>**Punishable by Death or Life without Parole only.</p> <p>Calendar Time = 40 years served without consideration of good time (Life sentence)</p> <p>Prohibits anyone younger than 18yrs. of age to be punished by Death.</p>	<p>Gov't Code 508.145</p> <p>*Effective 09/01/2011</p> <p>**unless transferred to the court under Section 54.02, Family Code. (Life sentence)</p>

82nd LEGISLATURE (continued)		
09/01/2011 – 08/31/2013		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>Offender is serving a Life Sentence for one of the following listed offenses:</p> <ul style="list-style-type: none"> –Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4) --*Aggravated Sexual Assault – 22.021 – Indecency w/Child – 21.11(a)(1) – Sexual Assault – 22.011 --*Trafficking of Persons—20A.02(a)(7) or (a)(8), (involves a child) – Burglary of Habitation with Intent to Commit any of the following : - 30.02 <ul style="list-style-type: none"> –Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4) – Aggravated Sexual Assault – 22.021 – Indecency w/Child – 21.11 – Sexual Assault – 22.011 --*Trafficking of Persons--20A.02 (a)(7) or (a)(8), (involves a child) 	<p>Calendar Time = 35 yrs.</p> <p>**22.021(f) does not apply</p>	<p>Gov't Code 508.145(c) PC 12.42(c)(2)</p> <p>*Effective 09/01/2011</p>
<p>AND has a previous conviction for one of the following offenses:</p> <ul style="list-style-type: none"> –Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) – Aggravated Sexual Assault—22.021 – Indecency w/Child--21.11 – Obscenity (images of child under the age of 18)--43.23(h) – Possession or Promotion of Child Pornography--43.26 – Prohibited Sexual Conduct--25.02 – Sexual Assault--22.011 --*Trafficking of Persons--20A.02 (a)(7) or (a)(8), (involves a child) -- Sexual Performance by a Child--43.25 – Burglary of Habitation with Intent to Commit any of the following: –Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) – Aggravated Sexual Assault— 22.021 – Indecency w/Child--21.11 – Sexual Assault--22.011 – Prohibited Sexual Conduct—25.02 --*Trafficking of Persons--20A.02 (a)(7) or (a)(8), (involves a child) <p>Offense in another state substantially similar to any of the above offenses.</p>		<p>*Effective 09/01/2011</p>

82nd LEGISLATURE (continued)		
09/01/2011 – 08/31/2013		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>3g Offenses:</p> <ul style="list-style-type: none"> – Aggravated Kidnapping--20.04 – Aggravated Robbery – 29.03 – **Aggravated Sexual Assault – 22.021 – Any offense with Affirmative finding of Deadly Weapon – Criminal Solicitation, 1st Degree— 15.03 – Capital Murder--19.03 – Indecency w/Child (Sexual Contact)2nd Degree – 21.11(a)(1) – Injury to a Child or Elderly or Disabled Individual, 1st Degree -22.04(a)(1) (applies only to Child victim 14 or younger) – Murder – 19.02 -- Sexual Assault--22.011 – Sexual Performance by a Child -43.25, all subsections <p>A Felony Increased Under Health & Safety Code 481.134 (c), (d), (e), or (f) (Drug-Free Zones), if it is shown that there is a previous conviction for an offense which punishment was increased under any of those subsections.</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p>	<p>Calendar Time = ½ Minimum of 2 yrs. Maximum of 30 years. **22.021(f) does not apply</p> <p>For every 12 months that elapse between date of arrest warrant and actual arrest date, initial Parole eligibility date is delayed by 3 years for the offenses of:</p> <ul style="list-style-type: none"> -- Murder--19.02 -- Sexual Assault--22.011 -- Aggravated Sexual Assault--22.021 <p>* Continuous Trafficking of Persons-- 20A.03 -- NOT 3g -- Calendar Time = 1/2 -- Minimum 2 years -- Maximum 30 years</p> <p>* Compelling Prostitution--43.05 and Trafficking of Persons--20A.02 are listed as “3g” offenses in CCP 42.12, but were omitted from 3g parole eligibility flat time requirements under Gov't Code 508.145.</p>	<p>CCP, Art. 42.12 Gov't Code 508.046</p> <p>*Effective 09/01/2011</p>
All other 1st, 2nd, and 3rd degree felony offenses	Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.	Gov't code 508.145(f)
Drug-Free Zones 481.134	Calendar Time = 5 yrs. or maximum term, whichever is less.	Gov't code 508.145(e)
CU offenses	Time credit on all sentences, one after another, until eligibility is reached on last sentence.	CCP, Art. 42.08 (a) Gov't Code 508.150
<p>State Jail Felonies</p> <ul style="list-style-type: none"> – a court may enhance the punishment by imposing the confinement of a 2nd or 3rd degree felony. — a court may reduce the punishment by imposing the confinement of a Class A Misdemeanor category offense (may or may not have been prosecuted under the lesser category offense title.) 	Parole Eligibility is NOT applicable.	<p>PC 12.35</p> <p>Confinement is to a state jail for any term of not more than two years or less than 180 days.</p>

82nd LEGISLATURE (continued)		
09/01/2011 – 08/31/2013		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>The offenses listed below are NOT eligible for Mandatory Supervision:</p> <ul style="list-style-type: none"> – Aggravated Assault, 1st or 2nd Degree – 22.02 – Aggravated Kidnapping, 1st or 2nd Degree – 20.04 – Aggravated Robbery, 1st Degree – 29.03 – Aggravated Sexual Assault, 1st Degree – 22.021 – Any offense with Affirmative finding of Deadly Weapon – Arson, 1st Degree – 28.02 – Burglary of a Habitation, 1st Degree – 30.02 with intent to commit felony other than theft – Capital Murder – 19.03 – Indecency w/Child – 21.11 – Injury to a Child or Elderly or Disabled Individual, 1st Degree – 22.04 – Criminal Solicitation, 1st Degree – 15.03 – *Compelling Prostitution – 43.05 – *Trafficking of Persons – 20A.02 – *Continuous Trafficking of Persons – 20A.03 – Murder, 1st or 2nd Degree – 19.02 – Robbery, 2nd Degree – 29.02 – Sexual Assault, 2nd Degree – 22.011 – Sexual Performance by a Child – 43.25 <p>A Felony Increased Under Health & Safety Code 481.134 (Drug-Free Zones).</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p> <p>Any offense committed on or after 09/01/1996 with a prior conviction to include any above listed offenses.</p>	Ineligible for Mandatory Supervision.	<p>Gov't Code 508.149</p> <p>*Effective 09/01/2011</p>
Discretionary Mandatory Supervision		<p>Gov't Code 508.149(b)</p> <p>An offender may be denied mandatory supervision by a parole panel for the following reasons:</p> <ul style="list-style-type: none"> – Offender will endanger the public <p>AND</p> <ul style="list-style-type: none"> – Offender's accrued good conduct time is not an accurate reflection of the offender's potential for rehabilitation.
<p>The offenses listed below are NOT eligible for Parole or Mandatory Supervision:</p> <ul style="list-style-type: none"> – Aggravated Sexual Assault - 22.021(f) – Continuous Sexual Abuse of a Young Child or Children - 21.02 	Ineligible for Parole. Ineligible for Mandatory Supervision.	<p>Gov't Code 508.145(a)</p> <p>Gov't Code 508.149</p>
-**Injury to a Child, Elderly or Disabled Individual, 2nd or 3rd Degree – 22.04	**Eligible for up to a five year set-off following a decision of parole denial by the BPP voting panel per HB 431	**Effective 06/14/2013

83 rd LEGISLATURE		
09/01/2013 – 08/31/2015		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>Capital Murder (Capital Felony) –Death or Life without Parole--19.03</p> <p>1) Murder of a peace officer or fireman on official duty,</p> <p>2) Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction or retaliation, or terroristic threat--22.07(a)(1,3,4,5, or 6),</p> <p>3) Murders for remuneration, or promise of remuneration or employs another to commit the murder for remuneration or the promise of remuneration,</p> <p>4) Murders while escaping or attempting to escape from a penal institution,</p> <p>5) Murders an employee of a penal institution while incarcerated,</p> <p>6) Murders with intent to establish, maintain, or participate in an alliance, or in the profits of an alliance, of individuals, while incarcerated,</p> <p>7) A person convicted of and serving a sentence for Murder (19.02) who murders while incarcerated,</p> <p>8) Murders while serving a sentence of Life or 99 years for Aggravated Kidnapping, Aggravated Sexual Assault, or Aggravated Robbery,</p> <p>9) Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme, or course of conduct,</p> <p>10) Murders an individual under ten years of age,</p> <p>11) Murders in retaliation for/on account of service/status as a judge or justice of courts.</p>	<p>**Not eligible for Parole or Mandatory Supervision release.</p> <p>**Punishable by Death or Life without Parole only.</p> <p>Calendar Time = 40 years served without consideration of good time (Life sentence).</p> <p>Prohibits anyone younger than 18yrs. of age to be punished by Death.</p>	<p>Gov't Code 508.145</p> <p>**unless transferred to the court under Section 54.02, Family Code (Life sentence).</p>

83 rd LEGISLATURE (continued)		
09/01/2013 – 08/31/2015		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
Offender is serving a Life Sentence for one of the following listed offenses: –Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) –* Aggravated Sexual Assault--22.021 – Indecency w/Child--21.11(a)(1) – Sexual Assault--22.011 –Trafficking of Persons--20A.02 (a)(7) or (a)(8), (involves a child) – Burglary of Habitation with Intent to Commit any of the following: --30.02 –Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4) – Aggravated Sexual Assault--22.021 – Indecency w/Child--21.11 – Sexual Assault--22.011 –Trafficking of Persons--20A.02 (a)(7) or (a)(8), (involves a child)	Calendar Time = 35 yrs. *22.021(f) does not apply	Gov't Code 508.145(c) PC 12.42(c)(2)
AND has a previous conviction for one of the following offenses: –Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) – Aggravated Sexual Assault--22.021 – Indecency w/Child--21.11 – Obscenity (images of child under the age of 18)--43.23(h) – Possession or Promotion of Child Pornography--43.26 – Prohibited Sexual Conduct--25.02 – Sexual Assault--22.011 – Sexual Performance by a Child--43.25 –Trafficking of Persons--20A.02 (a)(7) or (a)(8), (involves a child) – Burglary of Habitation with Intent to Commit any of the following:--30.02 –Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) – Aggravated Sexual Assault--22.021 – Indecency w/Child--21.11 – Prohibited Sexual Conduct--25.02 – Sexual Assault--22.011 –Trafficking of Persons--20A.02 (a)(7) or (a)(8), (involves a child) Offense in another state substantially similar to any of the above offenses.		

83 rd LEGISLATURE (continued)		
09/01/2013 – 08/31/2015		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>3g Offenses:</p> <ul style="list-style-type: none"> – Aggravated Kidnapping--20.04 – Aggravated Robbery--29.03 –**Aggravated Sexual Assault--22.021 – Any offense with Affirmative finding of Deadly Weapon <ul style="list-style-type: none"> – Criminal Solicitation, 1st Degree--15.03 – Capital Murder--19.03 – Indecency w/Child (Sexual Contact) 2nd Degree--21.11(a)(1) – Injury to a Child or Elderly or Disabled Individual, 1st Degree--22.04(a)(1) (applies only to Child victim 14 or younger) <ul style="list-style-type: none"> – Murder--19.02 – Sexual Assault--22.011 – Sexual Performance by a Child--43.25 –*Compelling Prostitution--43.05 –*Trafficking of Persons--20A.02 –* Burglary of Habitation with Intent to Commit any of the following:--30.02 <ul style="list-style-type: none"> –Continuous Sexual Abuse of a Young Child or Children--21.02 – Indecency w/Child--21.11 – Sexual Assault--22.011 – Aggravated Sexual Assault--22.021 – Prohibited Sexual Conduct--25.02 <p>A Felony Increased Under Health & Safety Code 481.134 (c), (d), (e), or (f) (Drug-Free Zones), if it is shown that there is a previous conviction for an offense which punishment was increased under any of those subsections.</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p>	<p>Calendar Time = ½ Minimum of 2 yrs. Maximum of 30 years. **22.021(f) does not apply</p> <p>For every 12 months that elapse between date of arrest warrant and actual arrest date, initial Parole eligibility date is delayed by 3 years for the offenses of:</p> <ul style="list-style-type: none"> – Murder--19.02 – Sexual Assault--22.011 – Aggravated Sexual Assault--22.021; <ul style="list-style-type: none"> –Continuous Trafficking of Persons--20A.03 –*Engaging in Organized Criminal Activity-- 71.02 –*Directing Activities of Criminal Street Gangs--71.023 – NOT 3g – Calendar Time = 1/2 – Minimum 2 years – Maximum 30 years 	<p>CCP, Art. 42.12 Gov't Code 508.046</p> <p>*Effective 09/01/2013</p>
All other 1st, 2nd, and 3rd degree felony offenses	Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.	Gov't code 508.145(f)
Drug-Free Zones 481.134	Calendar Time = 5 yrs. or maximum term, whichever is less.	Gov't code 508.145(e)
CU offenses	Time credit on all sentences, one after another, until eligibility is reached on last sentence.	CCP, Art. 42.08 (a) Gov't Code 508.150
<p>State Jail Felonies</p> <ul style="list-style-type: none"> – a court may enhance the punishment by imposing the confinement of a 2nd or 3rd degree felony. – a court may reduce the punishment by imposing the confinement of a Class A Misdemeanor category offense (may or may not have been prosecuted under the lesser category offense title.) 	Parole Eligibility is NOT applicable.	<p>PC 12.35</p> <p>Confinement is to a state jail for any term of not more than two years or less than 180 days.</p>

83 rd LEGISLATURE (continued)		
09/01/2013 – 08/31/2015		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>The offenses listed below are NOT eligible for Mandatory Supervision:</p> <ul style="list-style-type: none"> – Aggravated Assault, 1st or 2nd Degree--22.02 – Aggravated Kidnapping, 1st or 2nd Degree--20.04 – Aggravated Robbery, 1st Degree--29.03 – Aggravated Sexual Assault, 1st Degree--22.021 – Any offense with Affirmative finding of Deadly Weapon – Arson, 1st Degree--28.02 – Burglary of Habitation, 1st Degree--30.02 with intent to commit felony other than Theft – Capital Murder--19.03 – Compelling Prostitution--43.05 – Continuous Trafficking of Persons--20A.03 – Criminal Solicitation, 1st Degree--15.03 – Indecency w/Child--21.11 – Injury to a Child or Elderly or Disabled Individual, 1st Degree--22.04 – Murder, 1st or 2nd Degree--19.02 – Robbery, 2nd Degree--29.02 – Sexual Assault, 2nd Degree--22.011 – Sexual Performance by a Child--43.25 – Trafficking of Persons--20A.02 – *Engaging in Organized Criminal Activity, 1st Degree-- 71.02 – *Directing Activities of Criminal Street Gangs, 1st Degree--71.023 <p>A Felony Increased Under Health & Safety Code 481.134 (Drug-Free Zones).</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p> <p>Any offense committed on or after 09/01/1996 with a prior conviction to include any above listed offenses.</p>	Ineligible for Mandatory Supervision.	<p>Gov't Code 508.149</p> <p>*Effective 09/01/2013</p>
Discretionary Mandatory Supervision		<p>Gov't Code 508.149(b)</p> <p>An offender may be denied mandatory supervision by a parole panel for the following reasons:</p> <ul style="list-style-type: none"> – Offender will endanger the public AND – Offender's accrued good conduct time is not an accurate reflection of the offender's potential for rehabilitation.
<p>The offenses listed below are NOT eligible for Parole or Mandatory Supervision:</p> <ul style="list-style-type: none"> – Aggravated Sexual Assault--22.021(f) – Continuous Sexual Abuse of a Young Child or Children--21.02 	Ineligible for Parole. Ineligible for Mandatory Supervision.	<p>Gov't Code 508.145(a)</p> <p>Gov't Code 508.149</p>
– Injury to a Child, Elderly or Disabled Individual, 2nd or 3rd Degree--22.04	Eligible for up to a five year set-off following a decision of parole denial by the BPP voting panel per HB 431.	Effective 06/14/2013

84 th LEGISLATURE		
09/01/2015 – 08/31/2017		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>Capital Murder (Capital Felony) –Death or Life without Parole--19.03</p> <p>1) Murder of a peace officer or fireman on official duty,</p> <p>2) Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction or retaliation, or terroristic threat--22.07(a)(1,3,4,5, or 6),</p> <p>3) Murders for remuneration, or promise of remuneration or employs another to commit the murder for remuneration or the promise of remuneration,</p> <p>4) Murders while escaping or attempting to escape from a penal institution,</p> <p>5) Murders an employee of a penal institution while incarcerated,</p> <p>6) Murders with intent to establish, maintain, or participate in an alliance, or in the profits of an alliance, of individuals, while incarcerated,</p> <p>7) A person convicted of and serving a sentence for Murder (19.02) who murders while incarcerated,</p> <p>8) Murders while serving a sentence of Life or 99 years for Aggravated Kidnapping, Aggravated Sexual Assault, or Aggravated Robbery,</p> <p>9) Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme, or course of conduct,</p> <p>10) Murders an individual under ten years of age,</p> <p>11) Murders in retaliation for/on account of service/status as a judge or justice of courts.</p>	<p>**Not eligible for Parole or Mandatory Supervision release.</p> <p>**Punishable by Death or Life without Parole only.</p> <p>Calendar Time = 40 years served without consideration of good time (Life sentence).</p> <p>Prohibits anyone younger than 18yrs. of age to be punished by Death.</p>	<p>Gov't Code 508.145</p> <p>**unless transferred to the court under Section 54.02, Family Code (Life sentence).</p>

84 th LEGISLATURE (continued)		
09/01/2015 – 08/31/2017		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
Offender is serving a Life Sentence for one of the following listed offenses: –Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) –* Aggravated Sexual Assault--22.021 – Indecency w/Child--21.11(a)(1) – Sexual Assault--22.011 –Trafficking of Persons--20A.02 (a)(7) or (a)(8), (involves a child) – Burglary of Habitation with Intent to Commit any of the following: --30.02 –Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4) – Aggravated Sexual Assault--22.021 – Indecency w/Child--21.11 – Sexual Assault--22.011 –Trafficking of Persons--20A.02 (a)(7) or (a)(8), (involves a child)	Calendar Time = 35 yrs. *22.021(f) does not apply	Gov't Code 508.145(c) PC 12.42(c)(2)
AND has a previous conviction for one of the following offenses: –Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) – Aggravated Sexual Assault--22.021 – Indecency w/Child--21.11 – Obscenity (images of child under the age of 18)--43.23(h) – Possession or Promotion of Child Pornography--43.26 – Prohibited Sexual Conduct--25.02 – Sexual Assault--22.011 – Sexual Performance by a Child--43.25 –Trafficking of Persons--20A.02 (a)(7) or (a)(8), (involves a child) – Burglary of Habitation with Intent to Commit any of the following:--30.02 –Aggravated Kidnapping (with intent to violate or abuse the victim sexually)--20.04(a)(4) – Aggravated Sexual Assault--22.021 – Indecency w/Child--21.11 – Prohibited Sexual Conduct--25.02 – Sexual Assault--22.011 –Trafficking of Persons--20A.02 (a)(7) or (a)(8), (involves a child) Offense in another state substantially similar to any of the above offenses.		

84 th LEGISLATURE (continued)		
09/01/2015 – 08/31/2017		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>3g Offenses:</p> <ul style="list-style-type: none"> – Aggravated Kidnapping--20.04 – Aggravated Robbery--29.03 –* Aggravated Sexual Assault--22.021 – Any offense with Affirmative finding of Deadly Weapon – Criminal Solicitation, 1st Degree--15.03 – Capital Murder--19.03 – Indecency w/Child (Sexual Contact) 2nd Degree--21.11(a)(1) – Injury to a Child or Elderly or Disabled Individual, 1st Degree--22.04(a)(1) (applies only to Child victim 14 or younger) – Murder--19.02 – Sexual Assault--22.011 – Sexual Performance by a Child--43.25 – Compelling Prostitution--43.05 – Trafficking of Persons--20A.02 – Burglary of Habitation with Intent to Commit any of the following--30.02 – Continuous Sexual Abuse of a Young Child or Children--21.02 – Indecency w/Child--21.11 – Sexual Assault--22.011 – Aggravated Sexual Assault--22.021 – Prohibited Sexual Conduct--25.02 <p>A Felony Increased Under Health & Safety Code 481.134 (c), (d), (e), or (f) (Drug-Free Zones), if it is shown that there is a previous conviction for an offense which punishment was increased under any of those subsections.</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p>	<p>Calendar Time = ½ Minimum of 2 yrs. Maximum of 30 years. *22.021(f) does not apply</p> <p>For every 12 months that elapse between date of arrest warrant and actual arrest date, initial Parole eligibility date is delayed by 3 years for the offenses of:</p> <ul style="list-style-type: none"> – Murder--19.02 – Sexual Assault--22.011 – Aggravated Sexual Assault--22.021; <ul style="list-style-type: none"> – Continuous Trafficking of Persons--20A.03 – Engaging in Organized Criminal Activity-- 71.02 – Directing Activities of Criminal Street Gangs--71.023 – NOT 3g – Calendar Time = 1/2 – Minimum 2 years – Maximum 30 years 	<p>CCP, Art. 42.12 Gov't Code 508.046</p>
All other 1st, 2nd, and 3rd degree felony offenses	Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.	Gov't code 508.145(f)
Drug-Free Zones 481.134	Calendar Time = 5 yrs. or maximum term, whichever is less.	Gov't code 508.145(e)
CU offenses	Time credit on all sentences, one after another, until eligibility is reached on last sentence.	CCP, Art. 42.08 (a) Gov't Code 508.150
<p>State Jail Felonies</p> <ul style="list-style-type: none"> – a court may enhance the punishment by imposing the confinement of a 2nd or 3rd degree felony. – a court may reduce the punishment by imposing the confinement of a Class A Misdemeanor category offense (may or may not have been prosecuted under the lesser category offense title.) 	Parole Eligibility is NOT applicable.	<p>PC 12.35</p> <p>Confinement is to a state jail for any term of not more than two years or less than 180 days.</p>

84 th LEGISLATURE (continued)		
09/01/2015 – 08/31/2017		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>The offenses listed below are NOT eligible for Mandatory Supervision:</p> <ul style="list-style-type: none"> – Aggravated Assault, 1st or 2nd Degree–22.02 – Aggravated Kidnapping, 1st or 2nd Degree–20.04 – Aggravated Robbery, 1st Degree–29.03 – Aggravated Sexual Assault, 1st Degree–22.021 – Any offense with Affirmative finding of Deadly Weapon – Arson, 1st Degree–28.02 – Burglary of Habitation, 1st Degree–30.02 with intent to commit felony other than Theft – Capital Murder–19.03 – Compelling Prostitution–43.05 – Continuous Trafficking of Persons–20A.03 – Criminal Solicitation, 1st Degree–15.03 – Indecency w/Child–21.11 – Injury to a Child or Elderly or Disabled Individual, 1st Degree–22.04 – Murder, 1st or 2nd Degree–19.02 – Robbery, 2nd Degree–29.02 – Sexual Assault, 2nd Degree–22.011 – Sexual Performance by a Child–43.25 – Trafficking of Persons–20A.02 – Engaging in Organized Criminal Activity, 1st Degree– 71.02 – Directing Activities of Criminal Street Gangs, 1st Degree–71.023 <p>A Felony Increased Under Health & Safety Code 481.134 (Drug-Free Zones).</p> <p>A Felony Increased Under Health & Safety Code 481.140 (Use of Child in Commission of Offense).</p> <p>Any offense committed on or after 09/01/1996 with a prior conviction to include any above listed offenses.</p>	Ineligible for Mandatory Supervision.	Gov't Code 508.149
Discretionary Mandatory Supervision		<p>Gov't Code 508.149(b)</p> <p>An offender may be denied mandatory supervision by a parole panel for the following reasons:</p> <ul style="list-style-type: none"> – Offender will endanger the public AND – Offender's accrued good conduct time is not an accurate reflection of the offender's potential for rehabilitation.
<p>The offenses listed below are NOT eligible for Parole or Mandatory Supervision:</p> <ul style="list-style-type: none"> – Aggravated Sexual Assault–22.021(f) – Continuous Sexual Abuse of a Young Child or Children–21.02 	Ineligible for Parole. Ineligible for Mandatory Supervision.	<p>Gov't Code 508.145(a)</p> <p>Gov't Code 508.149</p>
– Injury to a Child, Elderly or Disabled Individual, 2nd or 3rd Degree–22.04	Eligible for up to a five year set-off following a decision of parole denial by the BPP voting panel per HB 431.	Effective 06/14/2013
<ul style="list-style-type: none"> – *Aggravated Sexual Assault–22.021 – *Capital Murder–19.03 (LIFE) – includes all statutory precursor offenses to both 	*Eligible for up to a ten year set-off following a decision of parole denial by the BPP voting panel per HB 1914.	*Effective 09/01/2015
		Effective 1/1/2017 offenses in CCP 42.12 section 3G are moving to CCP 42A.054